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C 45
Maurice



LIVES OF
ENGLISH POPULAR LEADERS
IN THE MIDDLE AGES.

BY THE SAME AUTHOR.

LIVES OF ENGLISH POPULAR LEADERS. No. 1.

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LIVES OF
ENGLISH POPULAR LEADERS
IN THE MIDDLE AGES

TYLER, BALL, AND OLDCASTLE

BY

C. EDMUND MAURICE

'Great men are set like diamonds in the world,
of whom the vulgar are ever the first to perceive
the flaws.' *Life of Wolsey*, by CAVENDISH.

HENRY S. KING & Co., LONDON.

1875.

Rec'd April 17. 1877.

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P R E F A C E.

I AM afraid that to many readers the first, at any rate, of the two following sketches will seem hardly to deserve the name of a 'Life.'

Although I have endeavoured to piece together all that can be found respecting the Life of John Ball, the real hero of the insurrection of 1381, yet I must admit the meagreness of the materials in his case, and the absolute failure to compile a 'Life' of his fellow-worker, Tyler. Yet I believe that the work which I have done in this volume (whether successful or not as a work of art) has not been useless.

The history of the fourteenth century in Europe is a history of democratic movements. The struggles in Flanders, first of Peter le Roi, and afterwards of the Arteveldes; the rising of the Jacquerie in France; the brilliant effort of Rienzi

Rec'd Apr. 17. 1877.

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at Rome ; above all, that most glorious and successful of all these struggles (which began at Morgarten, and came to a climax by the Lake of Sempach), all together form an epic which can hardly be surpassed in interest ; and it cannot be unimportant to Englishmen to be reminded of the part which their workmen and peasants bore in that great movement.

I have also endeavoured to show that if England produced in this period no Reding or Winkelried, no Rienzi or Artevelde, yet that the struggles of her less picturesque heroes were hardly less fruitful of results to her after-history than the efforts of the leaders of the Flemish or Swiss democracy were to the history of continental freedom.

That great movement which we call the Reformation, and which has probably produced more lasting effects in Great Britain than in any other country of Europe, really received its bent and character in the fourteenth century.

There has been a tendency of late years, among a certain section of the clergy, to attack the Reformation, not as formerly as the parent of anarchy and revolution, but as the enemy of freedom. To them Henry VIII. and Thomas

Cromwell seem the founders of the Reformation ; Somerset and Northumberland its natural results. What excuse has been given for this by the defenders of Protestant tyrannies we all know only too well. It may not be amiss at such a time to recall the memories of the early Reformation movement, which found its supporters among the champions of real freedom, and the effect of which Henry VIII. was unable to destroy.¹

With regard to the sources of my sketch of Tyler and Ball, it may perhaps strike the attention of some students of the time that I have omitted to allude to the part of Gower's 'Vox Clamantis' which is concerned with Tyler. But that strange scream seems to me to have little historical worth, except so far as it illustrates the panic of the court ; and that panic is far more clearly and picturesquely brought out by Froissart.

Froissart, however, having been in France during

¹ It has often seemed to me that the relation of Henry VIII. to the Reformation is exactly typified by his relation to Christ Church, Oxford. Cardinal College was originally founded by Wolsey ; but after his death Henry VIII. considerably reduced the revenues of the institution, spoilt the chapel, changed the name of the College to Christ Church, and has ever since been given thanks for as the founder of the institution.

most of the insurrection, and looking at the matter purely from the courtier's point of view, is far less trustworthy than Knighton, who, so far as he has treated of the matter, is by far the most careful and moderate historian of his time. But Walsingham has entered so much more than Knighton into the detail of the matter, and had besides, as a monk of St. Alban's, such special opportunities of information, that I generally follow him in doubtful cases.

With regard to the Life of Oldcastle, I have also to mention that there was a life of him written by a man named Gilpin in the eighteenth century ; but as Gilpin gives no authorities for his statements, I have not ventured to follow him wherever he differs from earlier writers. Bale's Life, on the contrary, is based on an account originally written by a personal friend of Oldcastle's, and subsequently published by Tyndale, and though requiring to be eked out by the help of Walsingham and the Monk of Elmham, supplies very important materials for the biography.

It now only remains to thank those friends who have assisted me in my work.

First and foremost, I must thank the Rev. J. R.

Green, whose help in pointing out sources of information, in suggesting thoughts, and in correcting errors both in style and facts, has been invaluable.

Also I have to thank Professor Brewer for much kind and useful assistance, and Mr. F. J. Furnivall, the Secretary of the Philological Society, for many useful hints. Also I have to thank Mr. C. T. Martin, of the Rolls Office, for clearing up a difficulty in one of the letters of Ball.

Lastly, I must again thank my kind friend, Professor Stubbs, for one or two hints, which saved me much needless trouble.

C. E. MAURICE.

November, 1874.

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TYLER AND BALL.

CHAPTER I.

CONDITION OF THE POORER CLASSES IN ENGLAND FROM
THE COMING OF AUGUSTINE TO THAT OF THE FRAN-
CISCAN FRIARS: 597—1224.

Summary of the Introductory Chapters.—The insurrection of Tyler and Ball is an important landmark in history. Even considered merely as an episode in the general democratic movement of the fourteenth century, as one of those splendid outbursts which, in Flanders, Rome, France, and above all in Switzerland, mark the first struggles into life of new and only partly organized classes of society, the insurrection of 1381 holds no insignificant position. But we can only estimate its due importance if we consider it as colouring, and being coloured by, that religious movement which was so essentially English in its character, and through

which England was most powerfully to affect the life of the continent.

In order, therefore, to understand the real meaning of this insurrection, it will be necessary to trace from the earliest times the condition of the classes who specially took part in it ; and to see what their relations were with the earlier religious movements of their country ; in what respect the leaders of those movements had a claim to be considered as the champions of the poor ; what they did to repel those whom they professed to protect ; what other roads to freedom seemed to lead the serfs and the poorer freemen away from their ecclesiastical patrons, or even into antagonism to them.

It will be necessary also to see how the serfs were taught to rely upon themselves, and how, as their patrons sometimes changed into oppressors, and openings to freedom seemed suddenly closed, the oppressed classes grew in strength by acquiring that vigour which could only come from self-reliance and voluntary combination, until at last the assertors of a higher life and morality in the country were able to find in the serfs and poorer freemen no longer their protégés but their allies.

Thus we shall see the hard-worked serfs of early

England gaining some slight protection from the law, under the influence of St. Augustine and the other missionaries from Rome ; gaining new hopes of freedom as English institutions developed ; helped forward by the reforming hand of Dunstan ; thrown back with the rest of their countrymen by the incursions of the Danes. We shall see the half-free churl thrust down into equality with the theow, by the equalizing tyranny of the Norman Conquest, and stereotyped in his position by the influence of Roman law under Henry II.

We shall see how the poorer classes were affected for good and for evil by the struggles between the towns and monasteries, between the merchants and workmen ; how far they were touched by the English constitutional movements of the thirteenth century, and how the growing antagonism between class and class forced them into the independent and aggressive position which they assumed in the fourteenth century, and which naturally found its logical result in the insurrection of Tyler and Ball.

Popular Indifference to Early English History.—
The interest of averagely educated people in the state of Early England seems hitherto to have

been confined to the questions of the comparative progress of Christianity, the adventures of King Alfred, and a few stories about Cnut and Edward the Confessor.

Although one may hope that Mr. Freeman's volume on Early English History has produced a somewhat clearer impression about those times than had hitherto been common, still that interesting book will perhaps hardly fill up all the gaps in the mind of the public on this subject.

Strange to say, the point which seems hardest to impress on the popular imagination is the very one which stands out so prominently in the most picturesque, the best authenticated, and the most historically important of all those stories which are taught us in our childhood.

Meaning of the Story of Gregory and the Slaves.

—Of all the people who have heard how the monk Gregory went down into the slave market at Rome, and was attracted by the fair-haired English slaves, few seem to have troubled themselves to ask how the slaves came there, or to have discovered that the practice of sending slaves from England to Rome was by no means an uncommon one, and moreover that these slaves, like many others, were

brought to the slave market at Rome by their own countrymen.¹

'It happened at some time, as it often doth, that some English merchants brought their merchandises to Rome, and Gregory passing along the street to the Englishmen taking a view of their goods, he beheld there among the merchandise slaves for sale.' Then follows the well-known punning dialogue about angels and Angles which shows us, among other things, how much more Gregory was impressed by the heathenism of these English boys than by the fact of their being sold away from their country.

So little horror, indeed, did Gregory feel personally at this slave trade that he even encouraged the traffic after he became Pope, by giving special directions for the purchase of English slaves,² though indeed this is attributed by some to his desire to turn them into clergy for his mission to England.

Effects of the Coming of Augustine to England, 597 to 616.—But though it is important to notice these inconsistencies, yet it would be most unjust

¹ See the account of this quoted in Mrs. Elstob's Translation of the Anglo-Saxon Homily, p. 11.

² Gregory's Epistle to Candidus. Preface to Mrs. Elstob's Translation of Ang.-Sax. Hom. p. xi.

to ignore the fact that the coming of Augustine to England did prepare the way for greater securities at the time for both the slave and the poorer freeman than had hitherto prevailed there; since the introduction of law is always a gain to the weak, and the first hint which we get of English laws are of those introduced by Æthelbert into Kent just after the coming of Augustine.¹

Yet the establishment of law brings into prominence, even while it checks, the worst evils of the society into which it is introduced, since it gives a distinct and legal position to customs which have hitherto been uncertain in their authority, before it can prohibit their worst developments. And therefore the first feeling excited by the study of the slave laws of the early English kings is one of extreme disgust.

Thus one is much struck with the barbarous custom of making a distinction between the injury done to the person or life of the landed eorl, or earl, the half-free ceorl, or churl, and the absolutely enslaved theow.²

¹ Thorpe, *Ancient Laws and Institutes*, vol. i. pp. 7—15.

² The ceorl was tied to the land, and could only be sold with it. The theow was the personal slave of his master, and could be sold away from the land. Both these classes are known after the Conquest by the common name of villein.

Still more revolting is the difference of value set upon the chastity of the wives in these different classes, a larger compensation being paid to the husband of higher rank for the violation of his wife.

Yet we must remember that even this was better than absolute lawlessness; and if neither Augustine nor Gregory protested against the sale of human beings, yet the principle of law introduced by Augustine tended to check the increase of the class who were treated in this manner, by prohibiting the custom of kidnapping.¹

The feeling of the connection between Christianity and personal freedom is beautifully brought out in the following story told by Bede of a nobleman who was taken prisoner in battle, and afterwards sold as a slave, in the seventh century.

‘When the prisoner was brought before the earl who had captured him, the earl tried to bind him with chains, but the chains always fell off again. For he had a brother whose name was Tunna, a presbyter, and abbot of the monastery in that town, which has since been called after his name, Tunnacæstir; who when he heard that his brother was killed in the battle came to seek for his body,

¹ Thorpe, *Laws and Institutes*, vol. i. p. 20, and pp. 111, 135.

and finding a body very like his, thought it to be his. Carrying this body to the monastery, he gave it an honourable burial, and often had masses said for the absolution of his brother's soul. 'Which celebration of the masses produced the effect which I said, that none could bind him, but that his bonds were continually loosed. In the mean time the earl, his captor, began to wonder, and to ask him why he could not be bound, and whether he had some of those dissolving charms which fables tell of, which prevented him from being bound. But he answered that he knew nothing of such things; "but I have," said he, "a brother in my province, and I know that he is continually saying masses for me, because he thinks that I am killed; and if I were now in another life my soul would be freed from its pains by his intercessions."¹

About 700 et seq.—Another more definite proof of the tendency of Christianity to improve the condition of the serf is shown in the fact that before the middle of the eighth century the custom of giving freedom at the altar was recognised by kings as conferring a legal position.²

¹ Beda, Hist. Ang. Bk. IV. cap. xxii.

² Thorpe, Laws and Institutes, vol. i. p. 39.

A still more important point was gained by the assertion of the binding character of marriage between a freeman and a slave, and the denunciation of the crime of selling the children of such a marriage into slavery.¹

By that time, too, we have the first hint of some restriction on the sale even of bondmen.²

Contrast between Slavery in Early England, and in other Countries and Times.—Nor must we forget that the slave in early England was in some respects in a more hopeful condition than he was in ancient Athens, or in modern America.

The Athenian slave, like the negro, was the servant of a community of freemen, who were separated from him by occupation and position. His master needed no fellow-feeling from him against an oppressive over-lord, nor was there any intermediate class to modify the bitter scorn of freeman for slave.

In England, however, classes were constantly interchanging; and, bitter as was the position of the slave, its bitterness was not increased by the separation of race or occupation.³ The constant

¹ Thorpe, *Laws and Inst.* vol. ii. p. 116. ² *Ibid.* vol. i. p. 111.

³ These remarks, obvious as they may seem when stated, did not occur to me, but were suggested to me by my friend Mr. Green.

wars between Mercians, Northumbrians, West Saxons, Kentishmen, and East Anglians, had naturally tended to increase the number of slaves in the country, and at the same time to obliterate those distinctions of race which were the great excuse to the modern white men for holding the negro in slavery. Nor, again, were the theows drawn from men of particular families, or from those who had followed special occupations. Thus, for instance, the nobleman mentioned in the story above was not only chained by his captor, but afterwards sold as a slave to a Frisian in London, and such changes of position must have been in these wars by no means unfrequent.

Poverty, too, was constantly compelling the free-man to put himself under the lord, so that the servile class was often recruited by men of other ranks, and the special separation off of a slave class was prevented.

The fact that a semi-free class intervened between the thane and the theow, and that this semi-free class was occupied like the slaves to a great extent in agricultural labour, prevented that opposition between widely separated classes which intensified the evils of slavery, both in ancient and modern

times. Add to this the fact that the monks were themselves engaged in manual labour, both agricultural and mechanical, and thus were drawn by class sympathy as well as religious feelings to the cause of the serf, and we see the various softening influences at work, which, while they could not hide the horrors of slavery, yet tended to weaken some of its bitterness, and to give hope for its gradual abolition.

First Invasion of the Danes: 787 to 871.—But during the eighth century the whole state of society was once more unsettled by the invasion of the Danes. Sweeping down on the southern and eastern coasts of England, they made slaves of those whom they captured, and by making life uncertain so unloosed the bonds of morality that even the sale by men of their own children into slavery was no longer recognized as a crime.¹

Laws of Alfred: 871 to 901.—Even the provisions for gradual emancipation, which were introduced by Alfred,² do not seem permanently to have improved the feeling towards the slaves, and not only the slaves but the half-free churls desired

¹ Thorpe, *Laws and Institutes*, vol. i. p. 47.

² *Ibid.*

at this time to escape from their masters.¹ This desire was no doubt due to the unsettlement of the country by the Danes, and, if we may argue by analogy from evidence as to the subsequent invasions, it is more than probable that many of the slaves, in hopes of escaping from their position, joined the ranks of the invaders.²

Effect of the Danish Invasion on the Feelings of the Legislators : 924 to 946.—But though the Danes opened this hope of escape to the slaves, they must have taken away from them other hopes more really valuable. Before this time it seems that the slaves were able to acquire some property, enough to pay fines,³ and in certain cases probably to buy their own freedom. Now, however, the impoverishment of the country was so great that men sold themselves into slavery to escape starvation,⁴ and the slaves, no longer able to pay fines, were punished by death or corporal chastisement.⁵ This change of policy was probably due also to a greater severity of feeling towards the slaves, pro-

¹ See esp. Thorpe, *Laws and Inst.* p. 201.

² See p. 23.

³ Thorpe, *Laws and Inst.* vol. i. p. 39.

⁴ Thorpe, *Diplomatarium Ævi Saxonici*, p. 621.

⁵ Thorpe, *Laws and Inst.* vol. i. pp. 235, 237.

duced by their desertion to the Danes ; and it is important as marking a reaction against the milder laws of Alfred, which is specially observable in the laws of Æthelstan and Eadmund.

The necessity, too, for protecting the weaker freemen against the invaders, and at the same time for preventing desertions on their part, no doubt caused Æthelstan to insist that lordless men should be placed under lords by the folkmote and this plan, while it secured temporary protection for the weak, must have tended ultimately to lessen the freedom of the smaller freeholders. Thus the ranks of the churls would be recruited from the thanes as well as from the theows, and the cause of freedom would be weakened thereby.

Struggle between the Monks and the Seculars.— Apart from the troubles which the struggles with the Danes were bringing on the country, there was probably another cause for the decline in that spirit of tenderness towards the oppressed which had been so marked a characteristic of the laws of Alfred. This was the weakening of the power of the monks as compared with that of the secular clergy.

At what time the monastic influences which had

been so much encouraged by Alfred began to give way, either in court or country, may be uncertain ; but as it had evidently lost much of its weight by the time of Eadred, it is not unreasonable to conclude that the decline had already set in in the days of *Æthelstan*. But whenever this decline began, its effects were most disastrous. The monks, however mistaken their plan of life might be, were the assertors of a higher morality¹ and a simpler life ; and when Dunstan succeeded, in the reign of Eadgar, in reasserting their power, he was also endeavouring to restore a higher tone of life² in court and country, and greater consideration for the poor and oppressed.

Career of Dunstan : 940 to 980.—The reputa-

¹ This assertion must, of course, be taken in a very general sense. Two hundred years before Eadred, Boniface, the Apostle of Germany, had drawn a terrible picture of the sexual morality of England, and the protest of the monks can therefore have but little affected the outward appearance of society. Still, the protest was made, however mistakenly, and the monastic revival was connected with a revival of that protest.

² This I deduce partly from the tone of his opposition to Eadwig, partly from his rebukes to Eadgar. Nor can we forget that, frightfully immoral both in principle and effects as was the doctrine of the superiority of celibacy to marriage, yet it did seem to the nobler spirits of that day to afford a means for the assertion of a purer life.

tion of this remarkable man has suffered much from the foolish fables of his followers, who could not understand him, and at a later period from bigoted Protestants, or still more bigoted infidels, who based their conjectures as to what the facts of history must have been, on the broad principle that all monkish chroniclers were liars and scoundrels. But though much has been done by Dr. Lingard to vindicate the position and work of Dunstan, there is one side of his work which I have nowhere seen fully brought out. That Dunstan was contending for a purer state of society rather than for the promotion of selfish ambition has been recognized by Mr. Pearson, and the vigorous administration by which he kept off the Danes from England has been dwelt on by Mr. Freeman, and is very grudgingly admitted even by Mr. Knight. But it has not been noticed that it was at the time when Dunstan was at the height of his power, that the ecclesiastical laws first proclaimed in an unmistakable manner the religious duty of promoting the abolition of slavery.¹

Earlier Protests of the Clergy against Slavery.—

¹ Thorpe, *Laws and Inst.* vol. ii. p. 283.

A hint, indeed, of this wish on the part of the nobler spirits among the clergy one finds as early as the seventh century, when Bishop *Ædan*¹ bestowed his money in ransoming such as had been wrongfully sold as slaves, and again in the eighth century, in the recommendation of Archbishop *Ecgberht*,² that a certain amount of alms should be given towards the freeing men from slavery.

In the reigns, too, immediately preceding *Eadgar's*, we find instances of the emancipation of slaves by their slave owners, 'for the love of God and their souls' need.'³

But although these instances show that *Dunstan* was reviving and strengthening a tradition which had not wholly died out, yet the vigour and extent of that revival gives him a claim to a

¹ Bede's Ecc. Hist., Translation, p. 411.

² Thorpe, Laws and Inst. vol. i. p. 138.

³ Dip. *Æv. Sax.* p. 621, and p. 624 and elsewhere. The question of the extent to which the monks observed in their own case the duty of respecting the freedom of the weak which they enjoined upon others, I have discussed in a later part of this chapter. I need here only remark that Dr. Lingard (at p. 259 of 'the Anglo-Saxon Church') quotes from the letters of St. Boniface a passage which would seem to show that the rule of St. Benedict, according to which the monks supported themselves solely by their own labour, was observed in some of the stricter monasteries; but I have not been able to find the letter to which Dr. Lingard alludes.

specially prominent position in our history. The chief sign of this revival is to be found, as I hinted above, in the extremely explicit character of the fourteenth of the ecclesiastical canons of King Eadgar. This law begins by insisting on the duty of every one to build churches, bridges, etc., 'and readily to help poor men, widows, step-children, and foreigners,' adding as a climax that each man should 'free his own slaves, and redeem to freedom their slaves from other men.'

This elevation of the general principle of emancipation, unlimited by qualifications, and unmodified by the circumstances of special cases, into a religious duty, would justify, even if it stood alone, my view of Dunstan as an assertor of the rights of the weak.

But the canon which I have just quoted is merely a part of Dunstan's policy for weakening the pride of the rich and powerful. The monastic principle was essentially a democratic one, and Dunstan's laws denounced strongly the assertion of authority of one priest over another on account of difference of rank. 'We enjoin,' says the thirteenth Canon of Eadgar, 'that no high born priest despise the lower born, because if it be

rightly considered, these are all men of one birth.' Manual labour, too, is to be more highly esteemed. 'Every priest in addition to his lore is diligently to learn a handicraft ;' and in the 'Institutes Civil and Ecclesiastical of a Kingdom' (written about this time) the writer sets forth the principle that workmen are one of the three props of a kingdom.

Thus, whatever weak points there were in Dunstan's policy, it did at least aim at the exaltation of labour and the freedom of the slave.

State of the Poorer Classes in the time of Dunstan.—As, then, this seems the last great effort before the thirteenth century to bring about a state of real freedom for the poorest classes in England, it may be well to consider what were the special grievances which made that state so intolerable.

The Colloquy of *Ælfric*, written by a monk who became Archbishop of Canterbury about seven years after Dunstan's death, seems to show that the mere manual labour of the agricultural labourer was looked upon by his monkish friends as one of the great troubles of his position, though aggravated of course by his state of serfdom.¹

The effect of this slavery was to prevent him

Mayer, 'National Antiquities,' vol. i. p. 2, *Colloquy of Ælfric*.



from taking any rest from his labour even in the severest weather, to impose on him heavy tasks which are now generally done by horses, and to oblige him to work very long hours. But the real pressure of slavery lay rather in the fact that, however much the slave trade might be limited with regard to foreign countries, there seems to have been no limit to that trade as between Englishmen, and the laws to which I have alluded before¹ show that it was long before the mind of the legislators could realise, *if they ever did realise*, that the sanctity of the family life should have been as sacred in the case of the slave as in that of the freeman. All these evils were of course increased by the fact that the slave could not protect himself by appealing to the laws. The only hint we get of any admission of the slave's right to plead in a court is in the Laws of Kent in the beginning of the eighth century; but how merely nominal even this right was may be gathered from the words of the law itself.² ‘If a layman's esne (domestic slave) make plaint against a churchman's esne, or

¹ Mayer, ‘National Antiquities,’ vol. i. p. 3, Colloquy of *Ælfric*.

² Thorpe, *Laws and Institutes*, vol. i. p. 43.

a churchman's esne, make plaint against a layman's esne, let his lord clear him with his sole oath.'

Two things, as far as we can make out, alone mitigated this degraded state. First, that the slave could in certain instances purchase his own freedom,¹ which practice seems to have increased in the latter parts of the tenth and eleventh centuries. And, secondly, that he could belong to a guild.² What advantages this gained for the slaves must perhaps be uncertain, and the phrase 'Hide Guild' seems to suggest that the unions were confined to the slaves who worked together on one portion of land. At any rate, such a union does not seem to have caused the alarm in England which it did among continental rulers.³ While, too, it would be absurd to suppose that the slave possessed land, the idea of punishing him in his hide (*i.e.* in the section of land on which he worked) seems to imply that there were certain privileges connected with his position on the land, of which he might be deprived.

¹ Thorpe, *Dip. AEv. Sax.* pp. 632, 641, 644. See also Hickes, *Thes. Ling. Sept.* vol. iii., *Diss. Ep.* pp. 13, 43.

² See, for instance, Thorpe, vol. i. p. 105.

³ Brentano's Preface to Toulmin Smith's 'History of English Guilds,' p. 76.

Position of the Churl, or Half-free.—It is necessary, in considering the question of the position of the slaves, to glance at the condition also of the class immediately above them, the ceorls, who, though they could not be sold away from the land as the slaves were, were still bound to the land, and liable to be sold with it.

The possibility of being kidnapped into slavery (although such a practice was condemned by the law) shows the general uncertainty of personal freedom among the poorer classes. A still clearer sign of the occasional wretchedness of the churl's condition is to be found in the fact that, on some occasions, they were ready to sell themselves into slavery.¹ But this was probably due to special circumstances, and there were many rights of freemen to which the churl seems to have had as much claim as the thane.

The first proof of passing from the position of the slave to that of the churl was that the enfranchised man might choose his lord where he would,² and part of his folkright must have been to help in finding a lord for lordless men.³

¹ Dip. *Æv. Sax.* p. 621.

² Ibid. p. 634.

³ Thorpe, *Laws and Institutes*, vol. i. p. 201.

But more important rights were his ; an amount of responsibility for the land of his lord ; the power of gaining land for himself ; the claim on the common land ; the right of bearing witness in court, and of appealing against injustice, first to the court of his Hundred, and afterwards, if necessary, to a higher court ; all these mark the distinction between his position and that of the slave. And, further, as the slave could buy himself out of slavery, so the churl, by acquiring land and specially serving the king, could become a complete freeman, or thane.¹

The two important rights which distinguished the thane from the churl were the right of holding land without dependence on any lord but the king, and the right of bequeathing that land.²

Later Invasions of the Danes, and their Effects :
980.—Such, then, so far as we can gather it, was the state of affairs when the Danes, no longer kept in awe by the vigorous administration of Dunstan, once more swept down on the country, and upset for a time the whole order of society.

Again the slaves seem to have fancied that an opportunity had arrived for freeing themselves

¹ Thorpe, *Laws and Institutes*, vol. i. p. 191.

² Ibid.

from their masters by joining the piratical invaders.¹ But the hope was a wild one, and so far from producing any real change of condition, the second Danish invasion unsettled the relations which had existed between master and slave,² increased considerably the recklessness of the slave trade with foreign countries³ (especially with Ireland⁴), and reduced many into slavery who had hitherto been freemen.

The bishop who gives this dismal account of the Danish invasion ends by saying, that the crimes which the English had committed, being quite as great as those which had led to the conquest of the Britons, were likely to bring the English also under the yoke of a conqueror.

Reign of Cnut: 1017 to 1035.—For a time, indeed, a check might seem to have been placed on the miseries of the kingdom by the successful establishment of the power of Cnut. The old prohibition of the foreign slave trade, so often

¹ *Sermo Lupi ad Anglos.*, Hickes, Ling. Vet. Sept. Thes. vol. iii. p. 103. ² *Ibid.* p. 100. ³ *Ibid.*

⁴ This I infer from the allusion to ‘prædones et pirati’ in Giraldus’s account of the emancipation by the Irish of English slaves, alluded to below.

repeated, and with so little effect, was again renewed by the Danish king. The concession of folkright to all, and the securities for local justice between poor and rich, were restored ; and there is a passage in one of these laws which shows that a relation between lord and serf had again been formed, which, if liable to promote injustice in some cases, yet suggests a greater tenderness of feeling between the two classes than might have been expected to survive the Danish conquest. ‘Many a powerful man,’ says the twentieth law of Cnut, ‘will, if he can and may, defend his man in whatever way it seems to him he may defend him, whether as a free man or a theow.’¹

In matters of taxation also, and in protection of the churl against the excessive oppression of the lord, these laws may bear comparison with the laws of Alfred or Eadgar.

Rise of Towns in England.—The more peaceful state of the kingdom, too, gave time for greater development of trade ; and, as trade increased, it encouraged the rise of those institutions which gradually weakened the hold of the lord over the serf, both by affording a refuge to the oppressed,

¹ Thorpe, *Laws and Institutes*, vol. i. p. 387.

and by raising up a force in the State which could counterbalance the power of the oppressor.

London.—At what time *towns* began to rise into importance in England may be uncertain. The power, indeed, of London had been probably growing since the time of Alfred.¹

Reign of Edward the Confessor: 1043 to 1066.—But the Londoners were always in an exceptional position; and it is not till the time of Edward the Confessor that we get a glimpse of any general development of civic liberty.

The chief cause, no doubt, of the formation of towns was the necessity felt by those who formed them for self-protection, specially in their trade. But even in the time of Edward the Confessor the townsmen had passed beyond this point and had claimed commercial privileges,² which distinguished them from their countrymen in the rural districts. That these privileges were generally coupled with others of more importance to the churls, we may infer from the enthusiasm with which the citizens

¹ Saxon Chronicle, Ingram's Translation, pp. 110, 201, 207; also Asser de Gestis Ælfredi, pp. 51, 52; also *Judicia Civitatis Londinensis* (Thorpe, Laws and Institutes, vol. ii. pp. 498 et seq.).

² Thorpe, Laws and Institutes, vol. i. p. 462.

of Exeter rose in defence of their rights against the conqueror,¹ and the comparative indifference shown to those rights by the thanes.

We must notice, too, that the constitution of these privileged towns was evidently intended at first to be much more democratic than it afterwards became. The claim, at any rate, to buy and sell in the towns was considered common to poor and rich.²

Yet we have signs during the reign of Edward the Confessor of growing antagonism between different classes. Now, for the first time, the word thane is used as an exact equivalent for freeman,³ a practice which implies a greater contempt for the churl than had hitherto been expressed. While, too, the liberty of the towns was founded on democratic principles, the nobles attempted to form guilds of their own, from which apparently all other classes were to be excluded.⁴

Effects of the Norman Conquest on the Poorer Classes.—Something of this spirit was no doubt due to the Norman influences which prevailed at

¹ Thorpe, *Sax. Chron.* vol. ii. ann. 1067.

² Lib. Civit., Thorpe, *Laws and Institutes*, vol. i. p. 462.

³ Hickes, *Ling. Vet. Sept. Thes.* vol. iii. Diss. Ep. p. 30.

⁴ *Ibid.* p. 21.

the court of Edward the Confessor ; for it is just this tone of contempt for the poorer classes as such that marks the change from Early English to Norman times. The churl, though of lower rank and of less importance as a witness than thane or earl, had not necessarily been an object of contempt in early times ; but he is regarded by the Norman conquerors as little different from the theow. The contemptuous word villein, or villanus, represents to the Normans the churl as much as the theow. The distinction, indeed, between the slave and the half-free is marked in Domesday Book by the use of the terms servus and bordarius, as distinct from villanus ; and the same book proves that the actual slave population had become much smaller than that of the half-free.

But by the time we reach the legal documents of the reigns of Henry I. and Stephen, the distinctions between the half-free and the slave have grown almost invisible, and though new terms of contempt have come into use, they do not seem to imply any new distinctions.¹

¹ In the ‘Laws of Henry I.’ (p. 532 of Thorpe, *Laws and Inst.* vol. i.), we find ‘Villani vel Cotseti vel Ferdingi.’ In the *Textus Roffensis*, ed. Hearne, p. 46, we find as a translation of Ceorl, or Thegen, ‘Villanus liberalis et subliberalis.’

It is worth while, too, to notice the change in the form of emancipation which comes in with the Norman Conquest. The slave is no longer declared free before the altar for the sake of the soul of the liberator or the liberator's father; the emancipation has become merely a dry legal ceremony, performed in the presence of the sheriff, and the badge of freedom is no longer the possession of land, or the right to choose a master, but the bearing of lance and helmet.¹

Wulstan's Protest against Slavery. *Wulstan lived till about the end of the Eleventh Century.*— Yet it is pleasant to glance for a moment, amid the oppressions and cruelties of the Norman Conquest, at the last glimmer of the enthusiasm for freedom and humanity among the old English ecclesiastics, struggling against the love of gain and selfish indifference to human happiness of their countrymen. The hero of the scene is Wulstan, the Bishop of Worcester, the bishop in whose behalf was afterwards performed the miracle of the pastoral staff, which the Normans were unable to draw out of Edward the Confessor's tomb.

‘There is,’ says Wulstan’s biographer, ‘a mari-

¹ Thorpe, *Laws and Institutes*, vol. i. p. 493.

time street called Bristol, from which people can be carried by a direct course to Ireland, and which is thus suited to the barbarism of that country. The inhabitants of this town, as well as others, often sail from England to Ireland for the purpose of trade. From these men Wulstan took away that very old custom which had so hardened into their minds that neither the love of God nor of King William had until then been able to remove it. For they used to carry over to Ireland, in hope of a larger price, men whom they had bought from all parts of England. You would have groaned to see the lines of miserable men fastened together by ropes, and youths of both sexes, who, from their noble appearance and ripe age, would have been an object of compassion to barbarians, daily offered for sale and daily sold, a most horrible crime, a terrible disgrace ; men who had forgotten even the affections of a beast for their own needs—to sell even their own kinsfolk into slavery. This inveterate custom, then, which had been handed down from ancestors to descendants, Wulstan, as I said, by little and little abolished. For, knowing that their obstinacy could not easily be bent, he used to remain among them for two, or often for

three months, coming every Sunday and scattering the seeds of divine preaching, and these seeds, after a long time, made way among them, so that they not only renounced their sin, but were an example to others throughout England to do the same. And at last one of their number, who more obstinately than others opposed the teaching of the Bishop, they threw out into the streets and put out his eyes. In which act I praise the devotion, though I disapprove the deed. Although when minds of rustics have once been vitiated, no force of reason can hinder their acts.¹

That Wulstan's efforts were only partially successful is apparent from the fact that, about thirty-five years later, Anselm had again to denounce the sale of men, though this denunciation evidently applies to home traffic.² But that the conscience of the country did, during the twelfth century, become more alive to the evils of this trade, we may gather from the curious story told by Giraldus Cambrensis of the act of emancipation which followed the English invasion of Ireland.

Irish Act of Emancipation: about 1174.—

¹ Vita Wulstani, Wharton's *Anglia Sacra*, vol. iii. p. 258.

² Wilkins, *Concilia*, vol. i. p. 383.

'When, then,' says Giraldus, 'these things had been accomplished, and the clergy of the whole of Ireland had been called together at Armagh, and long discussion and deliberation had been held about the arrival of the strangers in the island, at length they unanimously resolved that this injury had come to them by the vengeance of God on account of the sins of the people, and specially because they had formerly been accustomed to buy the English both from merchants and from robbers and pirates, and reduce them to slavery. And thus that they themselves were now in turn brought into slavery by the same race. For the nation of the English, while their kingdom was still in vigorous condition, had been wont to practise as a common national crime, the public sale of their children, and had sold their own children and relations into Ireland rather than sustain any want or poverty. Whence it can be reasonably believed that, as the sellers had formerly deserved the yoke of slavery for such an enormous crime, so now also did the buyers.'

'It was therefore decreed by the aforesaid

¹ Wilkins, *Concilia*, vol. i. p. 383.

council and determined, with the public consent of all, that any English throughout the island, who had fallen under the yoke of slavery, should be restored to their original liberty.'¹

State of the Serfs in the Reign of Henry II., and the Effect on them of the Introduction of Roman Law.—But though the slave trade with foreign countries may have died out by the end of the twelfth century, and so far the position of the lowest class may have been improved, the position of the villein who was tied to the land seems to have become more degraded, in spite of old traditions of freedom which lingered on in many parts of England.

The national distinction between English and Normans had gradually died out in the upper classes, as intermarriages became more common ; but the marks of their English origin survived

¹ Giraldus Cambrensis, *Expug. Hibern.* Book I. cap. xviii. The rhetorical character of much of Giraldus's narrative may throw some doubt on this story ; but it is hardly credible that so elaborate a statement, with time and place given, should have been made so soon after the events said to have taken place, without any contradiction, so far as I am aware, being made to the story, unless there had been a ground-work of truth to it. It has been accepted apparently by Dr. Wilkins (*Concilia*, vol. i. p. 471), and by Dr. Lanigan in his *Ecclesiastical History of Ireland* (pp. 196, 197).

amongst the villeins, who thus became the object at once of national and class hatred. Thus the murder-tax, intended originally to be levied on the English murderers of Normans, came, in process of time, to be levied only on the servile murderers of freemen.¹

The power of the lords of enforcing their claims² against their villeins seems, from the tone taken by Fitz-Nigel, to have been of a less restricted kind than that which had belonged to them in the times before the Norman Conquest; while the sheriff's right of distraining the goods of the villeins for the debts due from their masters³ points to a more complete sense of property of the master in the villein.⁴

An even more important distinction between the position of the villein in the twelfth century, and that which he held in the tenth, is his loss of the power of recovering his own liberty by purchase. The passage in which the statement

¹ *Dial. de Scac.* Part I. (Stubbs' Doc. Ill. Eng. Hist., p. 193). See also my *Life of Stephen Langton*, p. 45.

² Compare *Dial. de Scac.* Part II. p. 222 of Stubb's 'Doc. Ill.', with *Laws of Cnut*, cap. xix. and cap. lxxi. given at pp. 72 and 73 of Stubb's 'Doc. Ill.'

³ *Dial. de Scac.* Part II. p. 229 of Stubb.

⁴ *Ibid.* p. 195.

of this change occurs, is so illustrative of the hopeless condition into which the once partially free churl had fallen, that it is worth quoting at length. After mentioning the various ways in which a lord may set free his villein, Glanville proceeds—‘But this is to be noted, that no one in the position of a villein can acquire his liberty by his own money. For, by the law and custom of the kingdom, he could in that case be brought back into villeinage; because all the chattels of every slave are understood to be in the power of his master in such a manner that he cannot redeem himself from the villeinage which he owes his master by his own money.’¹

More remarkably still the brand of his servile origin was to cling to the freedman even after his liberation, and was to disqualify him from pleading in court, or from performing any legislative function.²

In spite, therefore, of the advantages gained for the freedmen by the legal protection extended to them in the reign of Henry II., and in spite of the suppression of the foreign slave trade, the half-free had fallen into a more hopeless and degraded position since the Conquest; and the

¹ Glanville, Book V. cap. v.

² Ibid

influence of the lawyers, while it tended to secure to the serfs such rights as they still possessed, tended also to stereotype the evils of their position.

Relation of the Clergy to the Serfs, and the Effect on it of the Norman Conquest.—But what, in the meantime, were the relations of the villeins to those who had been the champions of their liberties in former times? Even in the reign of Stephen men were urged in some cases to emancipate their slaves ‘for the safety of their souls;’¹ and I have shown elsewhere that the sixteenth clause of the Constitutions of Clarendon pointed to a connection between the cause of the Church and that of the villeins which had outlasted the other traditions of the Early English Church.² But in spite of these hints there can be little doubt that this connection was steadily growing weaker. For this change there were several reasons.

In the first place, the traditions of the European Churches seem to have been by no means so levelling as those of the English Church,³ and

¹ Hickes, Thes. vol. iii. Diss. Ep. p. 14.

² See my Life of Stephen Langton.

³ See, as to Gregory the First’s feeling about slavery, p. 1 above; as to feeling towards freedmen about the middle of the eighth century, see Ep. Bonifacii, ed. Würdtwein, p. 162.

the closer connection with the Continent since the Norman Conquest must, therefore, have tended to weaken the sympathy of the clergy with the oppressed classes. Even Anselm, though he expressed his horror of the selling of men as 'dumb animals,' had apparently much less tender feeling about the over-work of the poorer classes than is shown in the Dialogue of *Ælfric*.¹

But, in the second place, it is a most difficult question to settle how far the clergy, whether regular or secular, practised towards the poorest classes the conduct which they enjoined on others. That even in the earliest times churchmen employed domestic slaves is clear from the law which I quoted above ;² and though the more consistent among the leading clergy may, like Archbishop *Ælfric*,³ have emancipated their slaves on their death-beds, yet the very fact of that emancipation shows that slaves had been employed during their lifetime ; and even *Ælfric* seems not to have

¹ See in Bk. I. of Eadmer's Life of St. Anselm, the account of Anselm's informing the king of the Lombards about the reapers who did not work hard enough.

² Thorpe, Laws and Institutes, vol. i. p. 43.

³ Hickes, Thes. vol. iii., Diss. Ep. p. 63, and Hist. de Monast. de Abingdon, vol. i. p. 419.

been thoroughly consistent, since he leaves 'two oxen with two men to the Abbey of St. Albans.'¹

Relation of the Monks to the Serfs.—This last legacy leads us specially to consider the consistency of the *monks* in this matter. This is a more important question than that of the conduct of the *seculars*, because, as I have endeavoured to show, the *monks* were in early times more especially the assertors of liberty and equality in Church and State.

The Benedictine rule, which enforced a life of poverty and labour on its servants, must have come very early into conflict with the eagerness of the royal patrons of the *monks* to increase the wealth of their *protégés*. The question, too, of the uses and abuses of luxury became very soon complicated with the question of the social position of the priest, and some *monks* seemed to fear that the issue at stake was whether they should *employ* servants or *be* servants.² The difficulty, too, of bearing a consistent protest against slavery grew much stronger as the *land* of the

¹ Hickes, Thes. vol. iii., Diss. Ep. p. 62.

² Colloquy of *Ælfric*, Mayer's National Antiquities, vol. i. p. 10. That *Ælfric* also became affected by the same feeling seems clear from the sixth of his canons. Thorpe, Laws and Inst. vol. ii. p. 345.

monasteries increased ; for more labourers would then be required, and the two men left by Ælfric to St. Alban's must have been merely the representatives of many more in a similar condition.¹ But though there seems little reason to suppose that the monks were ever very strict in their respect for that freedom which they urged laymen to grant, yet the special protection which was thrown round the dependants of the clergy² must have made the service of the monks in some respects a more attractive one, in early times, than that of less powerful or less protected masters.

Effect of the Rise of Towns on the Relations of the Monks to the Serfs.—With the growth of municipal liberty, however, a surer way of escape opened itself from the troubles which surrounded the weak and oppressed ; an escape, not merely from one form of serfdom to another, but from slavery to freedom. How early this kind of freedom was developed may be a little uncertain. The first hint we find of that famous provision, by which the slave might gain his freedom by

¹ See also in a donation of Edward the Confessor to a monastery (Hickes, Thes. vol. iii., Diss. Ep. pp. 16 and 17) the grant of a possession in ‘liberis servis ancillis.’

esp. *Epistolæ Bonifacii*, p. 160.

remaining a year and a day in a privileged town, is in the laws of William the Conqueror.¹

Struggles of the Monasteries with the rising Towns.—But the rivalry between monks and burgesses dated from a much earlier time. Even in the days of Eadmund, son of Æthelstan, the inhabitants of the district round Oxford (Oxenefordensis pagi) had disputed with the monks of Abingdon about the possession of a certain field.² In those days, indeed, a miracle had been sufficient to decide the question, and the protection which the wisest and ablest of the kings used then to grant to the monks probably prevented the strife from ever coming to a great height.

By the reign of Henry II., however, things had changed. Many of the small villages were now struggling into burghs, and the two first Plantagenets were, for different reasons, anxious to encourage municipal independence. The most critical questions were at stake between the monks and those whom they claimed to rule. Many of those who were now desiring the independent life of burgesses had been in former times in absolute

¹ Thorpe, *Laws and Institutes*, vol. i. p. 494.

² *Hist. de Abingdon*, vol. i. p. 89.

slavery to the monks,¹ and their legal relation to the monasteries had now become uncertain and hard to define. While some of the claims of the monks bore the marks of the desire to maintain the old relations, the impossibility of treating the townsmen as their mere dependants led the abbots as a rule rather to assert their right to monopolies in trade than to a control over the persons of the townsmen.

Henry II., though desirous to strengthen the rising spirit of municipal independence, was yet unwilling to set aside charters or ignore the forms of law. How critical were the questions with which he had to deal, and how much they affected the daily life of the poorest citizens may be gathered from the instance of one of the early contests between the monks of Abingdon and the neighbouring towns.

The monks claimed to have the sole right of holding a market in their neighbourhood, and the men of Abingdon and the surrounding country, unable to prevent this monopoly by violence, were forced to apply for justice to the king. So strong, however, had been the hold of the monasteries

¹ See esp. *Chronica Jocelini de Brakelonde*, p. 73.

over the neighbourhood, that the townsmen did not venture to put their opposition on any broader ground than the denial of the right of the monks to restrict the sale of *everything* to their markets ; that is to say, the townsmen were forced to admit that as to the sale of bread and beer the claim of the abbot was justified by the charters of the abbey.¹

Round this central point of contention there grouped themselves others of a somewhat similar kind ; the right of enclosing fields, the exclusive privilege of grinding corn for the neighbourhood,² and preserving fish and game,³ were the most irritating of these. Even where these rights were not definitely sanctioned by law, the abbots were sometimes able to secure the appearance of law on their side, partly by obtaining a jury of their own dependants,⁴ partly by bribes to the judges.⁵ These bribes were carried to such an extent in the early part of the twelfth century, that on one occasion, at any rate, the sheriff began to consider the annual bribe as part of his legal income.

¹ Hist. de Abingdon, vol. ii. pp. 227—229.

² Hist. Monast. Augustini, p. 383.

³ See esp. Hist. de Abingdon, vol. ii. p. 248.

⁴ Ibid. p. 228. See also Jocelin de Brakelonde, p. 38.

⁵ See esp. Hist. de Abingdon, p. 230, as to the early time.

Dialogus de Scaccario, written probably in the Reign of Richard I., by Fitz-Nigel, who held office in Henry II.'s Court.—One might hope indeed that this latter custom would become less common after the reforms introduced by Henry II.; but the tradition of judicial purity was hard to implant, and the opening given by the quibble alluded to in the *Dialogus de Scaccario*, which allowed money to be paid *in order to hasten the settlement of a question*,¹ was made use of even by judges of a higher type than was common in the days of Richard I. or John.²

Nor was this plan of bribing other judges always necessary to the abbots; for one of their most irritating claims, the one perhaps which had more in it of the assertion of lordship than any other, was the claim to bring the inhabitants of the surrounding country under the jurisdiction of the abbot's own court.³

Abbot Samson's attitude towards the Towns.—That there were indeed wiser men among the abbots, who felt that the future was on the side of

¹ I have quoted this passage in my Life of Langton, pp. 71, 72.

² See Jocelin de Brakelonde, p. 78.

³ See esp. Hist. de Abingdon, vol. ii. pp. 248, 249. See also Hist. Monast. Augustini, p. 361.

the townsfolk, and that it was well to compromise matters with them, we know from the history of Abbot Samson. That shrewd old man, who has been presented to us by Mr. Carlyle chiefly as a restorer of monastic discipline, and an assertor of the rights of his monastery, is more interesting to us on this occasion from another point of view. Bold as he was, and ready to assert the independence of the monastery against Henry II. himself,¹ he had far more understanding of the reign of law which Henry had introduced than the monks whom he ruled.

The following instance is worth giving at length, as a specimen of the rising spirit of a town which had been once completely dependent on the monastery, and of the way in which Samson met it.

The chapter of the monastery of St. Edmundsbury hearing that rents were being raised in other towns, determined to raise those in St. Edmundsbury, and at the same time to prohibit the provosts, whom the monks declared to be 'servants of their sacristan, and removable at his pleasure,' from granting to the burgesses, without the consent of the convent, the right to open shops and stalls in

¹ Jocelin de Brakelonde, p. 55.

the town. ‘The burgesses, however, when summoned, answered that they were in the assize of the king,¹ and would not, contrary to the liberty of the town, and to their charters [appear before the abbot to] answer for tenements which they and their fathers had possessed well and peacefully for a year and a day without reproach;² and they said that it was the ancient custom that their provosts should, without consulting the convent, give them places for their shops and stalls in the market place, in consideration of a certain annual payment to be made to the provost.’

The monks, in high indignation at this bold answer, called upon the abbot at once to evict the burgesses from their tenements; but Samson answered that he ‘could not without a judgment of the court deprive freemen of their lands or incomes, which, whether justly or unjustly, they had held for several years, and that if he were to do it he should lie at the mercy of the king at the royal assize.’

In spite, therefore, of the indignation of his

¹ i.e. under immediate and sole jurisdiction of the king, not under a local court.

² This of course refers to the famous provision quoted above from the laws of William the Conqueror, p. 39.

monks, Samson consented to compromise the matter, and to grant to the burgesses, for a certain sum of money, all the liberties which they demanded.¹ At another time Samson consented that his cellarer should divide some dues claimed from the townsmen with the provost of the town.²

But even such a merely formal recognition of his authority as he claimed from the townsmen of Bury, Samson could not always enforce from the more powerful opponents with whom he sometimes came into opposition.

The citizens of London claimed the right to come to the market of Bury without paying any dues to the abbot, and haughtily maintained that London had been free from dues in every market, and in every place, from the time of its foundation, which foundation they declared to be contemporary with that of Rome. As they threatened not only physical violence but the enforcement of dues from the men of Bury, which would have injured them at least as much as any counter demand would injure the citizens of London, the abbot was forced to give way, and the Londoners were allowed to come to the market without paying their dues.

¹ Jocelin de Brakelonde, p. 57.

² Ibid. p. 74.

But the abbot had two weapons in his hands which he well knew how to use. Perhaps the fact of his leniency in secular matters towards the townsmen of Bury made them the more willing to defer to his spiritual authority. The picture of the hundred burgesses, lying almost naked at the door of the convent to petition for absolution from the abbot, has already been revived for us by Mr. Carlyle, and this submission was followed by a beating, and by the exaction from the burgesses of a promise to submit to the Church courts the question of the punishment for their sacrilege, before absolution was granted them.

The more I study the histories of the time, the more I am impressed with the fact that the effect of excommunications depended, in the Middle Ages, to a very considerable extent, on the respect felt for the personal character of the ecclesiastic who used that weapon. But that where personal respect was given, the weapon did add considerably to the strength of the ecclesiastic's position is equally clear, and thus it must have increased the hold which the monasteries still retained over the rustics and burgesses, who were gradually escaping from their grasp.

Struggle between the Rich and Poor in the Towns.

—There was another weapon, however, which men like Abbot Samson knew how to use against their most formidable enemies, though its use must have required judicious management; and its effect must have been dulled as the villeins grew conscious of the unfairness of the abbots' demands, and the chances of escaping from them. This weapon was the appeal to the less privileged members of the towns against the rich merchants. Strange as it may appear, this distinction had already begun to show itself even in towns like Bury, where it seemed so necessary for the townsmen to stand together against their common oppressors; and the granting to all the burgesses those concessions which were claimed as their exclusive privilege by the members of the merchant guild¹ was, no doubt, a dexterous method of meeting the cry of freedom for the towns by the counter cry of equality for all.

Whatever effect, too, such a weapon as this might have had in the smaller towns, in London, at any rate, the poorer classes very soon began to feel that those liberties which the great aldermen

¹ Jocelin de Brakelonde, p. 73.

of London were so eager to defend, were to them merely a plausible covering for the most grinding oppression.

The exact nature of the liberties which were granted to the citizens of London by John and his friends during their insurrection against Longchamp¹ seems uncertain ; but whatever were the advantages gained by this concession, they could do little to counterbalance the oppressions of the merchants. The trading population who had come in from outside the city, and who claimed equal privileges with the older corporation, were by no means welcome to the members of that corporation. The merchants, who had been democratic enough in their relations to each other, resented the intrusion of new-comers (who were often trying to escape from serfdom), and gradually tried to maim their privileges. Thus, from a democratic body the city of London changed into an oligarchy ; and so it came to pass that, by the time of William Longbeard, the distinction between poor and rich became clearly marked, and the rule of the poor by the rich completely established.

Significance of the Insurrection of William Long-

¹ See esp. Stubbs, Doc. Ill. of Eng. Hist. p. 257.

beard, or Fitz Osbert: 1196. Relations of the two opposing Parties to the King.—This state of things led to a struggle, in which the poor supported, and the rich opposed, the king's authority. Fitz Osbert's brother, who was supported by the richer citizens, appears to have played the part of the assertor of the liberties of the city against the king; while William Fitz Osbert and the poorer citizens appealed to Richard against the authority of the mayor. This appeal may seem to express the natural desire 'to fly from petty tyrants to the throne,' which has been characteristic of the oppressed classes in all times and countries; but the opposition of the mayor and the richer citizens to the authority of the king is less intelligible. Richard was by no means a promoter of democracy in or out of towns, and his charter to Winchester recognizes the claim of the rich merchants over that city.

But the explanation of the attitude of the mayors towards the king seems to be, that the old traditions of London dated from a time when the distinctions of classes in the towns had not yet become so marked as they afterwards became. The charter of Henry I. speaks in a very general

manner of the citizens of London ; and the charter which Richard I. gave to Lincoln, and which is avowedly modelled on the charter to London, is equally undiscriminating in its language. It is, therefore, quite intelligible that the oligarchy of the city felt that they had no legal basis for their claims to keep the government of London in their own hands, and to exclude the new-comers from it. The rich merchants would thus be anxious to assert an independence which would make them appear as the champions of liberty, while it prevented the poorer citizens from appealing to a higher authority against them. At any rate, during the reign of John, and down to the time when De Montfort began to take the lead of the patriotic party, the enthusiasm for the independence of the city as against the king seems, on the whole, to have been stronger among the rich merchants than among their poorer fellow-citizens.¹

But a new life was shortly to be awakened among the English poor; a new link was to be formed between their cause and the cause of the Church ; a new order of men was to spring up, who were to take the place which the *monks* had deserted.

¹ Riley's Chron. of London, pp. 5, 8, and 18, 19.

CHAPTER II.

CONDITION OF THE POORER CLASSES IN ENGLAND FROM
1224—1380.

The Franciscans in England.—In the year 1224, while Langton was still struggling with disorderly nobles at home and papal interference abroad, there arrived in England nine men who had just been sent by the general of the Franciscan order to preach their faith in England.¹ Simon de Langton,² the brother of the archbishop, was specially warm in his welcome to these visitors. The Dominicans received their future rivals very hospitably,³ and the archbishop accepted one of the principal members of the order, Brother Salamon,⁴ with a clear recognition of the apostolic character of his mission.

In the course of thirty-two years from this arrival, the number of the Franciscans swelled

¹ Eccleston, de Primo Adventu Frat. Min. Mon. Fran. p. 1.

² Ibid. p. 16. ³ Ibid. p. 9. ⁴ Ibid. p. 7.

to twelve hundred and forty-two.¹ The genial character of the founder of their order seems to have impressed itself on the early Franciscans, and they responded warmly to the hospitality with which they were received in England.

Indeed, St. Francis himself had become alarmed at the growing tendency among his followers to enjoy intercourse with the outer world, especially at the table.² But the Franciscans were still in the first flush of their zeal, and were very far from having forgotten the objects for which they had been formed into an order. They divided England into different provinces, each of which was to be the head quarters of some particular virtue. In one *poverty* was specially to be practised, in another *mutual love*, in another *fervour of worship*, and in another *simplicity*.³

The uncertainty of the tone of St. Francis about the question of mendicancy as opposed to labour, had no doubt given openings for weaker brethren already to indulge in those practices which afterwards brought such discredit on their order.⁴ But

¹ Eccleston, de Primo Adventu Frat. Min. Mon. Fran. p. 10.

² Ibid. p. 19.

³ Ibid. p. 27.

⁴ In the second chapter of the Rules of St. Francis (see Wadding's Ann. Frat. Min. p. 68), he says, 'Nec accipiant aliquam pecuniam

the real leaders of the Franciscans in England seem to have carried out in this, as in other matters, what was no doubt the true intention of St. Francis.

Another point of difference between the earlier and the later Franciscans was that the early Franciscans had not begun to show signs of that revolutionary spirit which afterwards brought down on them the indignation of the rulers of the earth. St. Francis himself had said :—‘ Let us count all clergymen, and all members of religious orders, as masters in those things which concern the salvation of the soul, and which do not deviate from the rule of our order ; and let us venerate their order and office and administration in the Lord.’¹

nec per se, nec per interpositam personam ;’ and in chap. vii. (Wadding, p. 70), he says, ‘ Fratres qui sciunt laborare laborent ;’ and in chap. viii. (Wadding, p. 71), he says of any brother who takes money, ‘ Teneant eum pro falso fratre et fure et latrone.’ But, on the other hand, in chap. ix. (Wadding, p. 71), he speaks of the great veneration with which beggars are to be treated, especially on the ground that Christ Himself lived upon alms ; and in the year 1211 (see Wadding, p. 109) an instance is given of St. Francis himself accepting alms. It may be supposed, however, that his real principle was contained in the second chapter, where he allows the brothers, if they are in need, to beg for anything except money.

¹ Cap. 19 of Rules, Wadding, p. 75.

The fact, too, that the Franciscans were welcomed in England by men like Langton and Grosseteste naturally inclined them to work with the bishops rather than to disturb the existing order of society.

Work of Adam Marsh and Grosseteste at Oxford.—In one point, indeed, the leaders of the English Franciscans were even less revolutionary than St. Francis himself; for the lectures which Adam Marsh and others introduced at Oxford¹ seemed a direct protest against that contempt for learning which was the most dangerous blot in the great work of the noblest saint whom the Roman church ever trained.

Adam Marsh² had distinguished himself after the death of St. Francis by supporting the rules of the saint against the innovations of Elias, the new head of the order; and therefore the influence of Marsh would have an especial weight with those who desired to carry out the spirit of their founder, while recognizing the necessity of adapting his maxims to the different circumstances of other countries. These Franciscan lectures at Oxford, therefore, were an important link between the

¹ Wadding, p. 240.

² Eccleston, p. 24.

growing thought of the country and the movements which were stirring the poorer classes of the people.

Franciscan Influence in England.—To sum up, then; the work of the Franciscans in England, in the early part of the thirteenth century, was rather to knit the poor to the Church by living among them, and sharing their way of life, than by exciting in them that dislike of property as an institution which was so often produced by the preaching of the friars in the fourteenth century.

Yet, however different the teaching of Adam Marsh and his friends was, both for good and for evil, from that of the later English Franciscans, this difference was due almost as much to the times as to the persons. That bitter opposition between the richer and poorer classes of the community which gave point, and to a great extent excuse, to the revolutionary preaching of the fourteenth century, had not shown itself to at all the same extent in the thirteenth century.

Relation of the Nobles to the Poorer Classes in England in the Thirteenth Century: 1215 to 1265.—For instance, the liberties secured by Magna Charta tended considerably to weaken those privi-

leges of the nobility which most irritated the poorer freemen ; while the twentieth clause¹ extends as complete legal protection over the rights of the *villein* as over those of the merchant or ordinary freeman ; this clause runs as follows :— ‘The freeman shall not be fined except according to the manner of his offence ; and for a great crime he shall be fined according to the greatness of the crime, saving the amount necessary to maintain his position as a freeman :² and a merchant in the same manner saving his merchandize ; and let a *villein* be fined in the same manner, saving the land worked by his plough, if they should lie at our mercy ; and let none of the above be left at our mercy except by the oath of honest men of the neighbourhood.’

The Forest Charter : 1217.—Still more important boons to the dependants of the nobility were secured by the Forest Charter. The demand for a share in the common land by the poorer classes had very early arisen in England ; and this cry was to some extent met by that part of the first

¹ Stubbs, Doc. Ill. p. 291.

² ‘Salvo contenemento suo.’ In all these interpretations I use Professor Stubbs’s Glossary.

clause of the Forest Charter which secured the common right of herbage in all forests to those who had previously enjoyed it.

While, too, the practice of disforesting introduced by this charter tended in some cases to increase the power of special nobles over special lands or woods, it tended in many other cases to the advantage of the smaller freemen. Moreover, the importance of the work in which the smaller freemen were so often engaged was distinctly recognized, and the facilities for it increased by the Forest Charter. The twelfth clause of that charter ran as follows:—‘Every freeman for the future, without any excuse, may make in his wood, or in the land which he has in the forest, a mill, a fish-pond, a pond, marle-pit, a ditch, or ploughed land beyond that part which is worked in common in the ploughed land.’¹

Statute of Merton: 1235.—The spirit of consideration for the poorer freemen which showed itself so remarkably in the Forest Charter, comes out yet more markedly in the Statute of Merton,² where special provision is made, both for the claim

¹ Stubbs, Doc. Ill. p. 341.

² Ann. of Burton, Ann. Monast. vol. i. p. 251.

of common pasture land by the small freeholders of each manor, and for the need of private land which was felt by the smaller freeholders to be necessary to insure their comfort in their own houses. Under the operation of such concessions as these, aided by the law of Gavelkind,¹ the class of small freemen was rapidly growing both in number and in importance.²

Position of the Villeins in the early part of the Thirteenth Century.—In the mean time while some lands, the holding of which had involved villeinage, had passed into the hands of men personally free,³ the villeins themselves seemed to have gained in some places a greater control over the land which they were set to till. Thus, for instance, a villein belonging to the Abbey of Meaux had complained of the ill-omened clamour of certain rooks which infested the trees on the land where he lived, and on having obtained leave to drive off the rooks, at once proceeded as the surest way to that end to cut down the trees on the estate ; and though this

¹ Hales, Introduction to Domesday of St. Paul's, p. xxii. See also Glanville, bk. vii. cap. ii.

² Hales, as above.

³ Fleta, cap. xiii. See also Year Books of Edwd. I., Ed. Harwood, p. 41.

may have been hardly in accordance with his legal rights, we do not hear that anything was done to him by way of punishment.¹

In many cases, too, the villeins could now acquire property, and even buy and sell on their own account.² But, of course, the greatest progress was made by those who were trying to form new and independent boroughs, and thereby to escape from the rule of the abbots. The position, however, of these would-be burgesses was, as I have shown, very uncertain, and their progress depended in each case, to a great extent, on the character of their leaders and of their opponents. The Abbot of St. Albans might claim an authority over the neighbouring towns which wiser abbots like Samson would admit to be an anachronism; while even the spiritual authority which Samson was able to enforce in Bury would be disputed in some profaner towns and against less honoured abbots. The circumstances which would produce this extreme assertion of independence will be best gathered from the following story.

The burgesses of Dunstable had been in many

¹ Chron. de Melsa, pp. 48, 49.

² See esp. Wodderspoon's Mem. of Ipswich, p. 158.

cases tenants in chief to the prior of Dunstable; but these tenants, in their attempt to form a town corporation, had joined with others over whom the prior's control was of a less definite character; and this latter class disputed the claim of the prior to exercise over them that arbitrary right of taxation which was one of the most irritating privileges of feudal lords. Henry III. consented to recognize this distinction, and granted the exemptions required. But demands of this kind grow, and the burgesses over whom the prior still claimed authority, naturally disliked the payment of taxes from which their fellow-townspeople were exempted. The poorer citizens found a further cause of irritation in the fact that the rich burgesses, who were trusted by the prior with the levying of these taxes, were evading their contribution to them by falsehood and fraud. Naturally supposing that the prior was an accomplice in this fraud, the poorer townsfolk now withdrew not merely their taxes but their tithes; refused to grind their corn at the prior's mill, and in other ways tried to throw off his authority. The prior revenged himself by excommunication, and his sentence was confirmed by the Bishop of Lincoln; but the townsmen declared

fiercely that, though they were excommunicated, they 'would rather go to hell' than submit in the question of the tallage. Such determined resistance naturally had its effect; and the tallages were withdrawn by the prior on condition of the performance by the townsmen of certain customary services not very definitely specified.¹

Great however as were the effects of such combinations as these, the position of the villeins, where they were unable to combine, still remained a very unsatisfactory one. They were, indeed, as I have said, allowed to buy and sell and to acquire property; they might even hold positions of trust; but they held this property absolutely at the will of their lords, and were often forced to conceal their wealth from fear lest it should be taken from them.² With regard, too, to the relations between the great landlords and the poorer freemen, there were already signs of the possibility of future separation between them; for even in the last clause of the Statute of Merton³ the king announced his rejection of the petition of the great

¹ Ann. de Dunst., Ann. Monast. vol. iii. p. 119—123.

² See the ballad of John the Reeve, in Percy's folio Ballads and Romances.

³ Ann. of Burton, Ann. Monast. vol. i. p. 251.

nobles for the increase of their powers of defending their own parks and fish-ponds against intruders.

The Constitutional Struggle against Henry III: about 1230 to 1265.—For the present, however, the cry of ‘turn out the foreigners,’ was uniting nearly all classes in England against the king and the court. The nobles disliked the intrusion of the Gascons and Provençals into the great offices of state which ought to have been held by Englishmen. The bishops and the more patriotic of the monks resented the interference of the alien nominees of the Pope; while the boldest of them, like Grosseteste, felt that the Pope’s power itself was inconsistent with the liberties of England. The Londoners complained of the insolence of Poitevins, Italians, and Spaniards,¹ who had thrust themselves into their city, and interfered with their liberties; and the villeins² groaned under the additional load of taxation which the officials of the court laid upon them.

The Earl of Pembroke had to some extent re-

¹ M. Paris, p. 917.

² Wilkins, *Concilia*, vol. ii. p. 716.—‘Depauperantur villani et male tractantur.’

stored to the constitutional party the national character which they had lost for a time by their intrigues with Louis of France; and the cry against the foreigners, which had first been raised by the promoters of Magna Charta, had gained additional force since Henry's marriage. But the man who was to use this cry with the greatest effect was an object of suspicion, on account of his own foreign birth, to many even of those who followed him.

Career of Simon de Montfort.—The position of Simon de Montfort was indeed one of the most curious contradictions in English history. Born and brought up a Frenchman, he was first drawn to the English court by the hopes of marriage with the king's sister. The marriage was bitterly denounced by the leading English nobles, and De Montfort was sent as governor to Gascony, partly no doubt to get him out of the way of his enemies.

There, too, the circumstances of his rule were in striking contrast with his subsequent career. Whatever the truth or falsehood of the charges against him were, one cannot help noticing that some of the most definite of them were com-

plaints by the *towns* of Gascony against him for taxing them in defiance of their liberties.¹

Yet this man, bound to England only through his connection with the king, and through the earldom which the king had given him by setting aside his elder brother's claims, sternly rejected the advances of the French² when he had been disgraced and betrayed by Henry, and returned to England to be the champion of the barons and citizens against the king, and the especial assertor of the *town* life of England.

Internal Struggles of London.—Henry, indeed, while impatient of the special privileges of the towns, seems to have hoped that by availing himself of the discontents which, since the time of William Longbeard, had been continually showing themselves among the poor in London, he might weaken the opposition of London against him, and through it of the other great towns.

The chance seemed not an unhopeful one. Since their struggle with William Longbeard the oligarchy of the City had been making their rule ever

¹ Shirley, Royal and Historical Letters of the Reign of Henry III. p. 73.

² M. Paris, pp. 863, 865.

harder, while the contests between the Abbot of Westminster and the City had given the king more than one excuse for temporary suppressions of the liberties of London. The citizens, however, had declared that the sheriff alone was responsible for the acts of which the king had at different times complained.¹

Henry, taking advantage of this admission, resolved to put this question of the responsibility of the sheriffs and mayors before the main body of the citizens, but cleverly contrived to put himself forward in the matter, not as the assertor of his own power, but as the protector of the poor against the tyranny of a privileged class.

Complaints were made in 1257 of the excessive taxation laid upon London by a certain mayor, and Henry at once demanded the right to make an inquiry into this matter. The 'populace,' as the aristocratic chronicler calls them, eagerly agreed to this inquiry, though the oligarchical party considered it as a violation of the franchises of the City. The mayor was discovered to be not only oppressive but fraudulent, and the king took advantage of the popular feeling to strike a further

¹ Riley's Chron. of London, pp. 22—24.

blow at the independence of the City. Without waiting to consult the ordinary Council of Aldermen, Henry appealed to a Folkmote. All the men who had fled to the city to escape from their serfdom, and who were looked on with scorn and dislike by the aldermen and their party, flocked to the meeting and readily assented to the king's proposal, that any officer of the City who injured them should be deprived of his right to be tried by his fellow-citizens.¹

The stroke was a bold one, and it came at a critical time. In the very year when Henry made this appeal to the democracy of London, the Mad Parliament was meeting at Oxford, and it was naturally for the king's interest that he should draw allies from all parts of the kingdom.

De Montfort's Relations to the Rival Parties in the Towns : 1257.—But in the appeal to the poorer citizens, Henry had rested his hopes on a class who had no sympathy with him. It is true that some even of those who disliked the court, and desired to limit the power of the king, suspected the aristocratic leaders who met at Oxford. But the suspicion came, not from the villeins, who were

¹ Riley's Chron. of Lond. pp. 33—38.

trying to escape from bondage, but from the rich middle class and the smaller gentry, who believed that the nobles were not in earnest in their zeal for the Commons,¹ who no doubt disliked De Montfort as a foreigner, and whose indignation was increased, not unreasonably, by the absurd proposal to submit to the King of France the question whether England was to be governed by an English parliament or by French courtiers.²

This fact was soon discovered by the Earl of Leicester; and while he contrived to secure some of the old oligarchical party in the cities to his side, by asserting the rights of the towns against the monasteries, he weakened their power for evil by throwing open the franchises of the towns to the poorest classes who were just escaping from serfdom.³

1265.—It is necessary to realize these facts in order to understand that famous act of De Montfort of which the importance has been sometimes exaggerated, sometimes unduly depreciated. It has been clearly shown by Professor Stubbs that

¹ Ann. of Burton, Ann. Monast. vol. i. p. 471.

² See esp. Riley's Chron. of Lond. p. 64.

³ Wykes, Ann. Monast. vol. iv. p. 138.

De Montfort did not for the first time introduce popular representation ; since knights of the shire had been summoned to parliament as early as 1254.¹ But I cannot admit, even in deference to so high an authority as Professor Stubbs, that the representation of the *boroughs* had, at the time when it was introduced, any less popular character than that of the *shires*. The chief reason for my opinion I have given above, in the account of the widening of the franchises by the Earl of Leicester and his party ; but I may also point out that the right of returning representatives was claimed by the boroughs, and interferences with it protested against in the essentially popular rising of 1326—1327,² a fact which shows that it was not considered merely as the burdensome and inconvenient duty which some writers have tried to represent it.

Important, however, as was the attempt of De Montfort to connect the life and privileges of the towns with the central government, it was one of those efforts which seem at first sight to justify Professor Stubbs's melancholy description of the

¹ Stubbs, Doc. Ill. p. 367.

² See esp. Walsingham, Hist. Monast. S. Albani, section ii. See also Rotuli Parl. vol. i. p. 327, as to a petition somewhat earlier.

thirteenth century as 'a period of great failures answering to too great designs.'

De Montfort's Fall and its Effects.—De Montfort's position as a foreigner, his high-handed policy towards the fallen favourites of Henry, the pride of himself and his sons clashing with that of the Earl of Gloucester, all tended to hasten his fall, and with it the fall of the policy of which he was the chief inaugurator. The struggles of Roger Bigod and his friends against Edward I. have no doubt some importance in constitutional history. The character of Gaveston and of the De Spensers may justify the risings against Edward II.; but the cause which linked the noble to the peasant and the workman, the cause in the most complete sense of 'God and the people,' received a blow at the Battle of Evesham, which required centuries to recover from.

How different was the position and character of De Montfort in this important respect from that of the Earl of Lancaster, who led the movement against Edward II., may be gathered from the following fact :—

Eager as De Montfort's enemies were to represent him as an overbearing tyrant, they could yet

find no act of oppression to charge him with, except his persecution of the Jews, and his high-handed policy towards Henry's favourites; whereas Thomas of Lancaster was oppressive even to his dependants; and no sooner was he dead than a petition came to the king and the council for redress against the tyranny of the seneschals and bailiffs of the earl, from the poor who had suffered from their rule.¹

Position of the Poorer Classes during the Latter Part of the Reign of Henry III.: 1257 to 1272.—Turning then from the wars of the disinherited, and the other more picturesque events of the latter part of the reign of Henry III., let us consider what changes had been going on in the conditions of the villeins and poorer freemen during this period, apart from the temporary alteration in their lot which had been produced by the town policy of De Montfort.

Mr. Rogers holds that the custom of transferring the villeins, 'or even their services,' to third parties

¹ Rot. Parl. vol. i. p. 394. Contrast also the account given in the Chron. de Melsa, vol. ii. p. 344, and the Ann. of Osney, Ann. Mon. vol. iv. p. 346 of the discussions as to the sanctity of the Earl of Lancaster, with the enthusiastic eulogies on De Montfort which are quoted by so many of the annalists just after his death.

had died out before the end of the thirteenth century, and concludes therefrom that 'the legal theory of the villein's total lack of civil rights against his lord had' by that time 'become antiquated.'¹ I cannot wholly accept even the first part of his statement, for I find in 1315 a transfer to the king of the Manor of Lambeth, with the services of freemen, the lands held in villeinage, with the villeins holding those lands, their chattels and belongings.² Yet I am inclined to believe that the slave trade was greatly declining at this time, more especially as such a decline may explain the growing use in the thirteenth and fourteenth centuries of the word *nativus*³ for villein, and the continual attempts of men (whose claim to their villeins is questioned), to justify that claim by the plea that the *ancestors* of these villeins had been sold to them, rather than by proving that the villeins themselves had come into their hands by

¹ Rogers, Hist. of Prices, pp. 70, 71.

² Rot. Parl. vol. i. p. 336.

³ This name is, however, used sometimes as implying a more personal or domestic slavery than *villanus*. See especially the case mentioned below in the struggle at Bury during Tyler's rising. It is, however, often difficult to see any distinction between the two, and I am therefore inclined to adhere to the explanation given above, as to the origin of the later word.

purchase.¹ And in one case this is even carried so far that a master who claims his villein is called upon to produce the father of the villein in court as a proof of the villeinage, and his claim is rejected in default of this evidence.² But the 'civil rights' which were allowed to the villeins seem to have depended to a great extent on their own efforts. That the villeins were constantly trying to assert such rights, I have already pointed out; but it is equally clear that they were receiving continual rebuffs.

Attitude of Edward I. towards the Villeins.—The extreme corruption of the law courts, against which Edward I. struggled almost in vain, no doubt gave great advantages to the lords in the struggle with their villeins; but even Edward I., so eager for the rule of law, and so jealous of local jurisdiction, was often inclined to strengthen the local power of the lords at the expense of their villeins.

1275.—Such at least seems to have been the result of the struggle between the villeins of St. Albans and their abbot only three years after the accession of Edward. We lose sight of the per-

¹ See esp. *Chronicon de Melsa*, vol. ii. p. 34; and vol. iii. p. 130.

² *Year Books of Edward I.*, Ed. Harwood, vol. iii. p. 512, ad ann. 1304.

petual struggles between the abbots and their dependants to some extent during the latter part of the reign of Henry III.; partly no doubt they had been merged in the larger struggles which were occupying the attention of the country; partly the attention of the abbots had been turned aside by the necessity of holding their own against the ambition of the friars, and the bolder claims for authority made by the bishops since the time of Grosseteste. The schemes of De Montfort had, nevertheless, raised hopes in the breasts of those townsmen who were trying to escape from dependence on the abbots; and, in the struggle of which we are about to speak, we find signs of a more embittered, and at the same time bolder attitude among the townsmen, than the men of Bury had shown in the twelfth century when they resisted Abbot Samson.

A common fund was formed among the tenants for supporting themselves against the claims of the Abbot of St. Albans, who, unlike Abbot Samson, was determined to enforce against the tenantry his exclusive right of grinding corn for the town in his own mill, of fulling cloths, of enclosing common land, and above all (that right which was

the basis of all other claims) of prohibiting any appeal from his baronial court to that of the Hundred.

Again, we find the ever-recurring hope of the oppressed classes, that justice would somehow be shown them by the ruler who governed their kingdom against the tyranny of their local lords. The news came that Queen Eleanor was coming to visit St. Albans, and the villeins flocked to the place where they hoped to see her. The abbot, fearing the effects of their petition, tried to take the queen round by a private way ; but the townsmen burst in upon the queen and the abbot as he was leading her to the abbey, exclaiming, ‘Pity us, Lady, we cannot live, because of this abbot. His servants plunder us and slander us injuriously. See! they are making you go out of the way, lest our trouble should be manifest to you.’

The kind-hearted queen reproved the abbot for his attempt to escape justice ; but the king was not so tender, and though he consented to grant an inquiry, all the rights of the abbot were confirmed,¹ and soon after increased by the king’s own

¹ Walsingham, *Chronica Monast. S. Albani*, vol. i. section ii. pp. 410 et seq.

act.² The extent to which the judicial power granted to the abbot enabled him to enforce his rights, not only over his villeins, but over the smaller freemen who were trying to escape from him, may be gathered from the instance of a man whom the abbot claimed to hold in villeinage. The abbot of course disputed the right of the villein to make any complaint of any kind of ill-treatment either to his person or property (with one exception, which I shall mention presently), and proved by appeals to the records of the abbot's own court, the fact that the land was held in villeinage, *i.e.* that the tenant was only a tenant at will.

The question still remained open of the personal slavery of the villein; but the abbot, no doubt fearing this discussion, availed himself of the decision about the *land*, to evict the villein from his estates before the second trial could come on.³

It must be noted, too, that however much the causes to which we have so often alluded had been working in favour of freedom, the tendency of the civil wars to strengthen the power of physical violence had counteracted to some extent that

¹ Walsingham, as above, p. 437.

² Ibid. p. 459.

movement. This is especially shown by the case of the socmen, as described in the reign of Edward I. by the writer called Fleta.¹

These socmen had formerly held their land as freeholders, or, at any rate, as tenants for life; but having been forcibly ejected from those lands by great lords, had only been allowed to reoccupy them as tenants at will, and had been forced to submit to the jurisdiction of the Manor Courts, and to give up their right of appeal to the higher courts.

Thus the improvements in the position of the villeins in the reign of Henry III. were due rather to their development of powers of combination than to the concessions made to them by their masters, or by the laws.

Increasing Importance of the Villeins and Poorer Freemen during the Reign of Edward I.: 1272 to 1307.—That the position of this class was, nevertheless, attracting an increasing amount of attention, is clear from the character of the political songs of the reign of Edward I. The songs which have been preserved to us of the eleventh and twelfth centuries, are concerned principally either with

¹ Fleta, cap. viii. De Sokemannis.

mere anecdotes of the acts of the kings, or with the passing events of the greatest political importance. But the Song of the Husbandman,¹ in the reign of Edward I. treats of the permanent condition of the oppressed poorer classes. The complaints against the officials and tax-gatherers, who force their way into poor men's houses, seem to imply that those poorer men inspired a greater amount of interest than had hitherto been the case. In one point, too, the villeins during this reign seem to have secured the nominal recognition of a right which was denied them in the reign of Henry II. Britton,² writing in the reign of Edward II., begins his chapter on the Purchase of Villeins, by saying that villeins can purchase themselves as well as freemen; and though, from the words which follow, this right seems a very unreal one, since the lord may defeat the purchase within a certain time, the mere fact that the right is verbally recognized is a point which one cannot pass over.

To the small freemen, however, the legislation of Edward I. brought a much more important gain,

¹ Wright's Political Songs from the reign of John to that of Edward II. p. 149.

² Britton, cap. xxxviii.

by the concession of the famous statute, *Quia Emptores*.

Statute 'Quia Emptores': 1289.—The history of that statute, as shown by the preamble itself, and by the circumstances of its enactment, gives a clear proof of the way in which the strict establishment of law was working, *in spite of the makers of the law*, in favour of freedom.

The statute itself was passed by the king and the great land holders without the consent of the Commons, and it was avowedly passed to preserve the power of the lords. Before this time the tenants had been forbidden by the law to transfer any of their rights over the land to a third person; but in spite of this, they had been able by evasions of the law to transfer it even to men who owed no allegiance to the lords, and thus to deprive the lords of the profit which they derived from the land and the services of the tenant. But, in order to prevent such an injury to the great lords, the makers of the statute *Quia Emptores*, were forced for the first time to recognize the right of the tenant to his share of the land, provided that the rights of the lord were secured; and thus the essential clause of this statute, made by the

landlords in their own interest, begins with the words.—¹

‘That the king has granted, provided, and ordained, at the instance of the nobles of his kingdom, that for the future every freeman shall be allowed to sell his land, his tenement, or a part of it, according to his pleasure.’

This great act marks an important stage in the history of the poorer classes of England, and it must be noticed that, however degraded might still be the position of the villeins, the raising of the class immediately above them opened a brighter prospect before *them*. But, on the other hand, two important allies in their upward progress were at this time becoming corrupt and weak.

Position of the Friars in the Reign of Edward I.

—The bitter struggles between the friars and the monks had for a time brought the former into sympathy with the leaders of the constitutional party. Their patronage by Grosseteste had, no doubt, attracted them to De Montfort, and both he and the Earl of Gloucester² had on more than one occasion protected the friars against the monks.

¹ Stubbs, Doc. Ill. Eng. Hist. p. 468.

² Hist. Monast. S. Albani, vol. i. section ii. p. 385.

And they had shown themselves worthy in those days of such protection. However early some of the weaker Franciscans may have become corrupted, some at any rate had dared to denounce the extortions of Henry III., and to resist his advances to them;¹ and they had acted rather in the spirit of Grosseteste than of De Montfort in protecting the Jews against the citizens of London.² But while the Pope on the one hand was alarming the friends of the friars by his use of some of them for his own mercenary purposes,³ the king on the other hand was unceasing in his efforts to corrupt and degrade them. He even seems to have hoped to draw Adam Marsh to his side by proposing him as a candidate for the bishopric of Ely.⁴

And though such an attempt as this was of little gain to the king's cause, he did not relax in his efforts. In St. Edmundsbury, for instance, the king protected the friars against the monks.⁵ These efforts were at last successful, for from whatever causes the corruption of the friars arose, the

¹ M. Paris, large ed. p. 832.

² Ibid. p. 922. See also Annals of Burton, Ann. Monast. vol. i. p. 346.

³ Ibid. pp. 710, 722.

⁴ Ibid. p. 950.

⁵ Brewer, *Monumenta Franciscana*, p. 620.

bitter feeling about their luxurious life and neglect of their vows of poverty began to show itself in the popular songs towards the end of the reign of Henry III.¹ The other great hope to the poor for escape to freedom had been, as I have attempted to show, in the Democracy of London ; but the poorer Londoners, like the friars, seem for a time to have been corrupted by success, and to have fallen into the hands of a worthless demagogue.

Story of Walter Hervi.—Such, at least, I am inclined to infer Walter Hervi to have been, partly from the character of the charges against him, but much more from the fact that Edward I. seems to have credited those charges. The opening account, indeed, of Hervi's election contains no more than the usual complaints of Conservatives against the leaders of the Democracy. The aldermen exulting in the royalist reaction desire once more to enforce their exclusive right of election, which had prevailed before the time of De Montfort. 'Of the populace, on the other hand,' says the chronicler, 'there are many who have neither lands, rents, nor dwellings in the city, being sons of divers mothers,

¹ Wright, Political Songs from John to Edward II. p. 146.

some of them of servile station, and all of them caring little or nothing about the city's welfare.'¹

Hervi, on the other hand, comes forward as the protector of the poor against the aldermen. Before the question could be settled Henry III. had died, and the Earl of Gloucester, who tried still to appear as the champion of the cause which he had betrayed, summoned a folkmote as soon as Edward had been proclaimed, and even used his influence on behalf of the democratic candidate.

Hervi's mayoralty, however, seems, if we may trust this chronicler at all, to have been very little in accordance with his professions. He was bribed by rich tradesmen to secure them certain exclusive privileges for their trade, and even turned out keepers of small fish-stalls, in the interest apparently of the richer fishmongers. His government at last led to riots, and Edward, on inquiry, expelled him from the court of aldermen.²

Edward's policy, however, to the city of London was of so summary a character, and his interference with their liberties so frequent, that, excusable as such interferences no doubt seemed to him from

¹ Riley, Chron. of London, pp. 155.

² Ibid. pp. 169 to 175.

the riotous state of the city, and just as his objects often were,¹ his policy must have tended to irritate against him all parties in the city, and to prepare the way for the bolder and more united struggle against his son.

In the mean time the friars, too, were being driven into a closer union with the democratic party by the discouragements which Edward gave them. His opposition to them, indeed, was connected with the nobler part of his nature and work. He was irritated by their forged miracles, which he indignantly denounced,² and his establishment of the rule of law was hindered by the protection which they extended to thieves³ and corrupt judges.⁴

Relations of Edward II. to the Friars: 1307 to 1327.—The Dominicans, indeed, were once more to be put to the trial of undue prosperity. Edward II. was even more ready to protect and pamper them

¹ Thus he seems to have been zealous in enforcing the rules against too high prices, and at the same time he did much to protect foreign merchants in their civil rights. *Mun. Gild.*, vol. ii. p. 191 and pp. 207, 208.

² Rishanger, p. 98.

³ Rogers, *Hist. Prices*, cap. vi. pp. 128, 129.

⁴ *Ann. Monast.* vol. iii. p. 355, and vol. iv. p. 320.

than his father had been to oppose them. Not only were the Dominicans employed by Edward for his private confessions and affairs of the State,¹ but he encouraged those intrusions into the privileges of the University of Oxford² which produced such startling effects in the following reigns.

The Franciscans, however, did not profit by this change of policy towards their rivals. Boniface VIII., a sterner Church reformer than any king, had deprived the followers of St. Francis of their ill-gotten property, and restored them to the position intended by their founder. Thus deprived both of royal and papal patronage, they were forced into even bitterer antagonism to the ruling powers; and while Edward II.'s patronage of the Dominicans was increasing his unpopularity in England, the Franciscans and other mendicant friars were stirring up insurrection against him in Ireland.³

To the City of London.—In the city of London in the mean time the policy of the new king was preparing the way for the bitter struggles of the

¹ See esp. Rymer, *Fœdera*, vol. ii. p. 908.

² *Ibid.* vol. ii. pp. 345, 379, and 588.

³ *Ibid.* pp. 630 and 631.

following reign. For his own purposes, indeed, the early policy of Edward towards the city might seem well planned. Under the pretence of protecting the municipal liberties of the city,¹ Edward strengthened the power of the oligarchy;² but this policy was less effective in London at this time than it would have been at an earlier period, for the supporters of the oligarchy were now to some extent divided in their objects.

For now was coming into prominence that jurisdiction within jurisdiction in the city of London which, while it attracted the sympathy of the richer citizens as merchants and employers, yet hampered them as much as the poorer citizens in their exercise of the office of mayor or alderman. This struggle, indeed, between the guilds and the city authorities had lasted since the time of Henry I.;³ but it was not till the reign of Edward II. that the monopolists had gained their complete victory, and passed an ordinance 'that no person, whether an inhabitant of the city or otherwise should be admitted to the freedom of the city

¹ *Mun. Gild.* vol. ii. part i. pp. 256 and 272.

² *Ibid.* pp. 305 and 312.

³ Brentano, Preface to T. Smith's *Hist. of Eng. Guilds*, p. cxx.

unless he was a member of one of the trades or mysteries.'¹

The two guilds whose monopolies seem most at this time to have interfered with the jurisdiction of the mayors and the convenience of the poorer citizens, were the weavers' and the fishmongers' guilds. With the first of these the struggle had been so bitter in earlier times that, in the reign of John, the members of the guild had been actually excluded from London,² while the prohibition of the general sale of fish enforced by the fishmongers' guild³ against even freemen of the city, seems to have been one of the deepest causes of discontent among the poor. A jury of citizens summoned to decide between the guild and the retail traders, gave as their verdict that the retail sale of fish would not be for the good of king or people, as it would lead to forestalling the market and sale outside the city, and *thus to raising the price of provisions.*

The opportunity for the interference of the king between the two parties was sufficiently obvious in both these cases ; but Edward's manner of doing

¹ Brentano, as above. p. cxi.

² Ibid. p. cxx.

³ Mun. Gild. vol. ii. p. 385.

so must have irritated against him many of both parties ; for while (instead of offering himself as an impartial mediator between the opponents) he asserted strongly the power of the king against that of the mayor,¹ he irritated at the same time the poorer classes by his confirmation of the privileges of the weavers' guild.²

Difference of Opinion between East and West of England.—But in spite of Edward's mistakes, the characters of the men who led the barons' party, and specially of the Earl of Lancaster, were not such as to excite popular sympathy ; and as late as 1321 London and the eastern counties were ready to support the king against the insurgent nobles.³ In the west, however, the flame of popular insurrection was more quickly lighted.

Policy of the Royal Officials in the West towards the Villeins.—The officials of Edward on the Welsh border seem to have been particularly reckless in their avarice and tyranny. The villeins of the king had always occupied an exceptionally fortunate

¹ *Mun. Gild.* vol. ii. p. 406.

² *Ibid.* pp. 419, 420. Curiously enough the one regulation of this guild to which the king's sergeant objected as contrary to the public good, was the rule for limiting the hours of work.

³ *Ad. Mur.* p. 34.

position by their freedom from the arbitrary taxation of local lords; and many villeins were in the habit, when claimed by other lords, of asserting in the law courts their positions as villeins of the king.¹ These villeins the royal officials in the west were in the habit of farming out, *i.e.* they let out their services² to other lords, and thereby deprived the villeins of their exceptional position. In Devonshire too the local law courts had been specially oppressive,³ and the grievances felt there must have been increased by the growing corruption of judges throughout the country.⁴

The Bristol Insurrection: 1312 to 1316.—But the place in which the discontent of the west burst forth most plainly was Bristol. That city had been specially favoured by Edward I., and the irritation caused by the withdrawal of the royal patronage was further increased by the growing power of a narrow oligarchy in the city. This oligarchy, which consisted mainly of fourteen prominent families, unlike that of London and other cities, made no

¹ See esp. Year Books of Ed. III. p. 6. ann. 39.

² Rot. Parl. vol. i. pp. 273 ad fin.

³ Ibid. p. 293 and pp. 297, 298.

⁴ Wright's Political Songs from John to Edward II. p. 192 and pp. 224 to 230.

pretence of being the champion of civic liberty, but rather relied on the help of the Constable of Gloucestershire against their fellow-citizens. The other townsfolk of Bristol therefore banded together against the 'Fourteen' to assert at once the equality of the citizens and the independence of the city; refused to admit the king's judges when they desired to interfere in the quarrel; and when the Earl of Gloucester was despatched against them by the king, they even rose in arms in defence of their city, and could only be suppressed after a severe struggle.¹

Final Rising against Edward II.: 1326 to 1327.

—If, too, the struggle against Gaveston had excited but little sympathy in the south-eastern counties, the De Spencers soon succeeded in driving London and its neighbourhood into open opposition to the king. However unpopular the barons' party may have been while under the leadership of the Earl of Lancaster, the wrongs of Queen Isabella excited as much sympathy amongst the citizens of London² as among the nobles; and whatever of her success

¹ Seyer's Hist. of Bristol, vol. ii. pp. 94—99.

² Ad. Mur. pp. 48, 49; Chron. de Melsa, vol. ii. pp. 351, 352; Knighton (Twysden, Hist. Ang. Script. Decem.) Bk. III. p. 2545.

may have been due to the Hainaulters, there can be little doubt that it was a most thoroughly popular rising which drove Edward II. from the throne.

Its Immediate Effect on Popular Freedom.—But the hope for popular freedom had risen higher than Edward III. or his mother would have desired. The towns which had suffered under the oppressions of the monasteries or of neighbouring nobles, rose once more to throw off the yoke of their tyrants; and the demands made by the townsmen of St. Alban's seem to be mentioned by their historian as typical of the claims made throughout the kingdom. It is noticeable, too, that not only are these claims larger and more definite than those put forward by the ancestors of these townsmen in their appeal to Queen Eleanor,¹ but the chronicler who on the former occasion had accused the rich townsmen of coercing their poorer fellow-citizens into supporting the movement, now reverses his complaint and accuses the poor of coercing the rich.²

The ground of their complaint was not now confined to intrusions by the abbot on their common

¹ See above, p. 74.

² Walsingham, Hist. Monast. S. Albani, p. 130.

land or interference with their right to grind corn ; their independent rights as burgesses to be governed by their own bailiffs, to return members to parliament, and to control the 'assize which settled the price and the character of bread and beer sold in the town, are now claimed by the townsmen of St. Alban's. The abbot, however, still considered the townsmen as his villeins, and boldly refused their demands. The townsmen, not waiting as on a former occasion to appeal to kings and queens in their behalf, marched at once upon the abbey, while the abbot encouraged his followers with the idea that they were struggling for the liberties of the Church.

Edward III. interfered to save the abbey, but feeling the necessity at present of relying on popular support, he subsequently sent down a charter which granted most of the liberties which the townsmen of St. Alban's demanded.

Delighted with this success, the villeins next proceeded to enforce their claims on the land which they described as common, and again they were successful.

Impatient as they were of the settlement of questions by the lawyers, the townsmen had been

ready enough to appeal to legal evidence on their behalf, and the records of Domesday Book were curiously enough fixed upon as the charters of their freedom.

Stranger still, the commissioners appointed by Edward to inquire into those claims considered them as justified; and it now became clear that the abbots had been taking advantage of their influence in the law courts to defeat the ends of law.

Naturally provoked by this discovery into distrust of the honesty of the law courts, the villeins came to the conclusion that their only hope was in meeting fraud with fraud. With this view, some of the leaders among them attempted to gain further liberties by forging charters, which, in order to give them an appearance of age, they smoked.¹

In such a struggle there could be little doubt of the result. But there were other causes than the legal cunning of the abbot which tended to insure him the victory.

Causes of the Fall of Mortimer.—Several causes rapidly diminished the wide-felt sympathy with the movement which had placed Edward III.

¹ Hist. Monast. Sancti Albani, p. 317.

on the throne. Many Englishmen were jealous of the intrusion of the Hainaulters into the kingdom, and on one occasion actually fought against them.

This feeling rose even higher when Queen Isabella's army was defeated by the Scotch: and the queen was forced to dismiss the Hainaulters to their own country.¹

The war against Scotland seems to have been the one war in which popular feeling was interested. The Battle of Bannockburn had no doubt hastened the fall of Edward II., and the defeat of Isabella's army was attributed to the treachery of Mortimer. That unscrupulous favourite, feeling the growing difficulties of his position, determined to strengthen his power by a reign of terror. The invention of imaginary plots has more than once served the turn of intriguing statesmen both in English and French history. A plot to restore Edward II. was a natural resource under the circumstances, and the Earl of Kent, as the brother of Edward II., was naturally marked out as the leader of the plot. He was also unpopular with many of the people for the oppressions of which some of

¹ Adami Mur. Chron. pp. 54—56.

his household had been guilty ;¹ and Mortimer did not hesitate summarily to execute him. The execution of other nobles followed, and the feeling of danger now created among the nobles led them readily to co-operate in a conspiracy to free Edward III. from the control of his mother's favourites.

The death of Edward II. strengthened the feeling against the Mortimers, and in the sudden burst of enthusiasm in favour of the dead king, some even discussed the question of his saintship.² The reverence too for the king's family seems to have been awakened in some, even towards the unpopular Earl of Kent just before his death ; for, according to one historian, Mortimer had to wait a whole day before he could find an executioner who would put the earl to death.³

Relations of the Clergy to the King in 1330.—The reign of Edward III. may properly be said to begin from 1330, the year when the Mortimers were put down, and with it soon begins the renewal of the old struggle between the power of

¹ Adami Mur. Chron. p. 60. In treating this plot as pretended, I follow both Adam de Murimuth and Robert of Avesbury, p. 8.

² Chron. de Melsa, vol. ii. p. 355.

³ Knighton, p. 2555.

the king and the power of the clergy. The weakness of Edward II. had given a great opening for the Pope to enforce his power over the clergy and the kingdom; and with the cries against unjust oppression by bailiffs there had arisen, even in the year when Edward III. was first crowned, the cries against alien provisors, who had interfered with the appointments to livings in England.

Relations of the Clergy to the Poorer Classes.—But though these intrusions were looked upon with suspicion by the nobles and the king, the leaders of the clergy had by no means entirely lost the sympathy of the poorer classes. Since the time of Edward I, the tradition of the bishops, and especially of the archbishops of Canterbury, had been to oppose the oppressions of the king; and however much some of the growing towns may have resented (as Norwich did) the acts of tyranny committed by special bishops, the attitude taken up by the bishops as a body towards the poorest and least-protected classes is clearly evidenced by a struggle which marked the early years of this reign.

Special privileges seem to have been long claimed by the bishops for the serfs dependent

on them, such as exemption from taxation, and from the services generally exacted from the laity.¹

But by the beginning of Edward III.'s reign, their desire to protect the serfs seems to have extended beyond their own dependants; and by the help of their ecclesiastical canons they secured to the serfs that very privilege which had been held in Early English times specially to mark the freeman, *the right of making wills for the disposal of their property.*²

While, then, the monks had become hateful to their dependants who were struggling to rise into townsmen, and equally hateful to the more established towns from the right which they claimed to trade free from duties, and thereby to outbid the townsfolk,³ the bishops were assuming more than before their natural position as protectors of the poor.

It must be remembered, too, that corrupt as the *friars* had undoubtedly become in many places and circumstances, the Franciscans, at any rate

¹ Wilkins, *Concilia*, vol. ii. p. 21 and p. 316.

² *Ibid.* p. 549 and p. 553.

³ See esp. *Rotuli Parl.* vol. i. pp. 26, 27, and p. 165. See further as to the sharp practice of the monks in their trade, *ibid.* p. 156.

had lost entirely their prosperous and respectable position as protégés of kings and popes.

The complaint of John XXII. against them was exactly the reverse of that of Boniface VIII. The heresy of which John complained was the more exact preaching of the rule of St. Francis, the revolutionary contempt for property.¹ Since that time they had been looked upon with suspicion by the orthodox world, and had more than once died for their faith.²

When, then, Edward III. commenced his bitter struggle against the clergy, it must not be supposed that the poorer classes of the people were in sympathy with the king; still less were they in sympathy with his schemes for foreign aggression, or the methods by which he carried them out.

Of wars in France the Commons had had enough; and the fierce awakening of the warlike spirit in the nobles, and the eager desire for bursts of knight-errantry, found little echo in the breasts of the poorer classes.

Character of Edward III.—Had the reckless

¹ See esp. Contin. Chron. Guill. de Nangiaco (Bouquet, Hist. de France, vol. xx. p. 618.)

² Barnes' History of Edward III. p. 119 and p. 477. See also Chron. de Melsa, vol. iii. p. 39, p. 90, and p. 152.

spirit of knight-errantry been untainted with any other element it would have been bad enough ; but when the Commons found that Edward III. combined the cunning of a dishonest tradesman with the brutal instincts of a prize-fighter, and that he was ready enough to practise in his own interest the forestalling and under-selling which had been condemned in the case of other merchants,¹ they must have looked with sympathy on the protest of the clergy against the surrender of the wool to the king,² at the time when he seized upon it to raise money for the French wars.

The withdrawal of the military force from the kingdom, and the provocation of the hostility of France, laid the country open to the ravages of pirates.³

The only ground of sympathy between the English poorer classes and their king in the war against France, had been the assistance which Edward gave to the Flemings;⁴ but even this ground was taken away when Edward attacked

¹ See esp. Adami Mur. Chron. p. 83.

² Ibid. p. 86, also p. 93.

³ Adami Mur. pp. 87—89.

⁴ Wright's Political Songs, from John to Edward II. pp. 187—195.

the liberties of the Flemish towns, which he was nominally protecting, and his rule became to them as oppressive as that of Philip VI. had been.¹

When, therefore, in 1339, Edward returned secretly to England, and supplanted the clerical officers who had been so unwilling to raise taxes on his behalf by more servile ministers, the indignation of the Commons seems to have burst out, and they demanded that in future the greater officers should be elected by the peers of the kingdom in parliament.

The king, though unwilling to admit the whole demand, consented that those great officers should give some account of their proceedings to parliament.²

But though the union of the clergy with the poorer classes seemed so strong in the beginning of the reign, events were now preparing the way for that bitter struggle between rich and poor, in which the clergy were to be strongly committed to the aristocratic cause.

The Plagues: 1340 to 1370.—‘In the summer, that is to say, in the year of grace 1340, there occurred an execrable and strange infirmity in

¹ Adami Mur. p. 92.

² Ibid. pp. 109—113.

England, as it were a universal one, and especially in the county of Leicester; so that, whilst the suffering lasted, men uttered a barking sound like the bark of a dog, and the pain was as it were intolerable whilst it lasted, and afterwards there was a great pestilence among men.¹

Such was the first beginning of those terrible plagues which devastated the country during the reign of Edward III., and were to be the prelude of so great a social revolution in England.

Just at the time when this plague was laying waste our country, we detect the clear symptoms of that aristocratic reaction which the subsequent plague of 1348 was to increase in bitterness. The villeins, since the time of Edward I., had become accustomed to look to the central courts as a source of deliverance from their local lords, and anxiously resisted any attempt on the part of their enemies to secure the trial of the question of their villeinage in the counties rather than in the courts at Westminster.²

But the growing alarm of the lords at the progress towards liberty made by their dependants

¹ Knighton, Book IV. p. 2580 (Twysden as above).

² Rotuli Parl. vol. ii. p. 173.

induced them to insist on their local privileges, and the king gave way to them.¹

The scarcity of provisions,² which seems to have followed this plague, no doubt greatly alarmed some of the king's councillors. So little, however, was the king prepared to sacrifice any selfish advantage for the good of his people, that we find, in 1346, complaints of the heavy taxation for special provisions for the royal household.³

The king, indeed, consented to modify the manner in which these levies should be made; but about the main cause of the expenditure which was ruining the country, the useless and wicked war which was raging in France, he would listen to no proposals for peace.

It was, however, the second plague of 1348 which first thoroughly aroused the nobility and gentry to their change of position.

This plague seems to have been of a much more devastating character than that of 1340. One account describes it as destroying one man in every ten.⁴

¹ Rot. Parl. vol. ii. p. 180.

² Chron. de Melsa, vol. iii. p. 44.

³ Adami Mur. p. 163.

⁴ Ann. de Bermundesia, Ann. Monast. vol. iii. p. 475.

Spreading from the East, and over-running Europe, it entered England at Southampton and Bristol.¹ It attacked sheep as well as men,² and it was followed by a rise in the price of meat.

But the greatest blows fell on the class of small gentry who, in various ways, protested against the change which was coming on their position.³

Struggle of Classes: 1347 to 1377.—From this time to the end of the reign of Edward III. the Rolls of Parliament are filled with efforts of the landlords and nobles, who were specially urged on by the small gentry, to maintain their positions, first against the labourers who were taking advantage of the small supply of labour to demand a rise of wages, and, secondly, against the bondsmen who were trying to struggle into the position of freeholders, and to throw off the customary duties demanded of them.

A curious proof of the extent to which this desire to maintain the distinction of classes was the cause of the struggle, may be seen in the complaint of the Commons in 1363, that women

¹ Knighton, pp. 2598, 2599.

² Ibid.

³ See esp. Rogers' History of Prices, p. 676.

by wearing clothes that ought to belong to a higher rank, are raising the price of those clothes.¹ And in answer to this petition were introduced those irritating laws which fixed special dresses for special ranks.

The House of Commons, who were on the side of the small gentry, succeeded in exciting the king's sympathy for their cause, by showing him that the change of the lands from the hands of bondsmen to those of free tenants was diminishing his authority.²

The smaller gentry, as I said, were specially active in demanding and enforcing the Statutes of Labourers; statutes which may be said to hold the same relation to the English democratic movement of the fourteenth century which the anathemas of Innocent III. held towards the constitutional movement of the thirteenth.

The demand for a rise of wages which followed the plague, seems to have begun chiefly among the agricultural labourers, especially the reapers and shepherds;³ but it soon spread through all classes of manual workmen.

¹ Rotuli Parl. vol. ii. p. 277.

² Ibid. p. 279.

³ Knighton, p. 2600.

Statutes of Labourers.—The first bitterness of this struggle was seen in 1347. Wages had been, apparently, up to that time fixed by a rule laid down by the king; and in the fierceness of their discovery that the labourers were breaking through this rule, the Commons demanded that the labourers refusing the fixed rate of wages should pay fines and suffer corporal punishment. At the same time greater checks were placed on the transference to free tenants of land held in villeinage, and on the opportunities offered by the law courts to the villeins of escaping from their lords,¹ or of rising to the freer position which the state of the country had seemed for a time to offer to them.² But the labourers were not likely to yield without a struggle. Many of them fled from their lords, and took refuge in woods.³ Others openly refused submission to the Acts of Parliament.⁴

The abbots too found greater difficulty in enforcing their power over their villeins. The Commons of Belgrave rose against the Abbot of Leicester,⁵

¹ Rot. Parl. vol. ii. p. 186, and p. 242.

² Knighton, p. 2601.

³ Ibid. p. 2599.

⁴ Ibid.

⁵ Ibid. 2616.

and the workmen of Beverley kept up a series of most irritating annoyances against the Monastery of Meaux.¹

In St. Alban's, the abbot seemed thoroughly to have regained his hold, and met the complaints of some of his tenants, that he had beaten and wounded them unlawfully, by simply claiming them as his villeins, and, by his influence no doubt with the local courts, succeeded in winning the day.²

The central law courts, indeed, seem to have strained their influence in favour of the workmen;³ and it was very likely for that reason, amongst others, that the king was so eager to exclude lawyers from the House of Commons.⁴

A bond was growing up between the workmen from their common opposition to their employers. From Devonshire there came complaints that the privileges hitherto confined to certain workmen were being extended to others;⁵ while in the towns the workmen began to form guilds, from

¹ Chron. de Melsa, vol. iii. p. 179.

² Hist. St. Alban's, vol. i. p. 39.

³ Year Book of Ed. III. anno. 39, p. 6.

⁴ Rot. Parl. vol. ii. p. 310.

⁵ Ibid: pp. 343—345.

which they carefully excluded all those who would rise to the rank of mayor or bailiff.¹

There seemed, indeed, little hope except in such a union. The king was considered, personally, the worst employer in the kingdom ; for he himself complained that the workmen were leaving his service, because they could earn higher wages elsewhere ;² while so devoted was he to his own interests, that he seized the opportunity of the general depression of trade to open special wool markets for himself in London ; a course which, while it ruined the other merchants, increased enormously the wealth of the royal shopkeeper.³

Change of Policy of the Clergy towards the Poor.

—Nor was there better hope from ecclesiastical sources. Whatever had been the attitude of the bishops towards the poor before this time, they had now a special cause of their own for opposing the claims of the workmen. The chaplains seem to have been in the relation to the other clergy which the workmen were to the other classes of the laity ; and their services also

¹ Toulmin Smith, Hist. of Eng. Guilds, p. 279.

² Rotuli Parl. vol. ii. p. 458.

³ Knighton, Book IV. p. 2606.

had risen in importance since the time of the plague.¹ The bishops thereupon, like the other employers, became alarmed, and combined their influence with that of the lay employers to keep down wages;² while the pope, on his part, seized this admirable opportunity for plundering the kingdom on his own account.³

'Piers Plowman.'—But there were other circumstances which would naturally lead the poorer classes in these emergencies to rely upon themselves. It was during this period that the curious poem called the '*Vision of Piers Plowman*' seems to have appeared, and to have rapidly gained a great deal of popularity. The union of sternly moral feeling and indignation at the corruptions of the time, with an exaltation of labour into an object of almost religious reverence, naturally gave it a great attraction for the excited minds of the peasantry and the workmen; and the phrases of the poem became watchwords in the coming times.

Langland (if such was the name of the author of this remarkable poem) seems to have been a

¹ Chron. de Melsa, vol. iii. pp. 68, 69.

² See esp. Wilkins, *Concilia*, vol. iii. pp. 1, 2, and 15.

³ Knighton, Book IV. p. 2583.

monk in the west of England, living probably on the borders of Wales. The evil of the rule of the clergy was his great cause of complaint; and at first he looked for help to Edward III. :—

'Thanne kame there a kyng,¹
 Knyghthood him ladde
 Might of the communes
 Made him to regne.
 And thanne came kynde wit,
 And clerkes he made,
 For to counseilen the kyng
 And the commune save.
 The kyng and knyghthood,
 And clergie bothe,
 Casten that the commune
 Sholde hemself fynde.
 The commune contreved
 Of kynde wit krafte,
 And for profit of al the peple,
 Plowmen ordeyned,
 To tilie and to travaille,
 As trewe lif asketh.
 The kyng and the commune,
 And kynde wit the thridde,²
 Shopen lawe and leaute,³
 Ech man to knowe his owene.'

¹ Vol. i. pp. 7, 8. I take my account of the Vision of Piers Plowman, and the quotations from it, from Wright's 2nd ed. in two vols. of the Vision and Creed.

² Third.

³ Made law and loyalty.

But this happy state could not last. Flattery turned the king's head, and the Commons themselves are inclined to truckle to the king.¹ The king himself becomes utterly corrupt, and is seen in Langland's Vision trying to marry Conscience to 'Mede,' or corrupt payment. The civil law, too, is represented as bringing corruption into the country, and making friends with Simony.² Envy, Coveitise, and Leccherie are present when Mede is taken under the protection of Simony and Civil Law; and is given power in the kingdom.

‘In witnesse of which thyng,³
Wrong was the firste,
And Piers the pardoner
Of Paulynes doctrine,
Bette the bedel
Of Bokynghamshire,
Reynald the reve
Of Rutland so kene,
Maude the millere,
And many mo othere.’

The king is represented for a long time as struggling to reconcile Conscience to Mede, but at last promises to submit to Reason. Fortified by this royal patronage, Reason goes to preach to a field full of people, and when he has turned them from

¹ Vol. i. pp. 8, 9.

² Ibid. p. 49.

³ Ibid. p. 32.

their evil courses, Repentance and Hope persuade them to set out in search of *Truth*.

They find much difficulty in the search, and it is then that Piers Plowman appears on the scene, and declares himself the servant of Truth, and able to guide them. Although his name connects him specially with agricultural labour, he is clearly the representative of the labouring classes generally, for besides 'dyking,' and 'delving,' and 'sowing,' and 'threshing,' he also 'weaves,' and 'wyndes in taillories craft, and tynkeries craft.'¹

The account of the road which Piers the Plowman recommends, from its intertwining of poetical allegory with obvious moral allusions, reminds one of the more famous allegory of the Pilgrim's Progress.

Take, for instance, this stage in the journey² :—

' Grace hath the gatewarde,
A good man for sothe,
His man hatte³ Amendyow,
For many men hym knoweth.

* * * * *

' Biddeth Amendyow make hym
Till his maister ownes

¹ Vol. i. p. 110.

² Ibid. pp. 113, 114.

³ Is called.

To wayven¹ up the wikket
That the woman shette
Tho Adam and Eve
Eten apples un-rosted.'

It is very noticeable, however, as showing how even so keen a reformer as Langland was affected by the spirit of the times, that Piers looks for special friendship and sympathy to the knight, who is to protect him while he works.² But work of some kind or other he enjoins most strongly on the searcher after truth, and manual work especially.

Then follows another of those quaint mixtures of allegory and ordinary fact which reminds one again of Bunyan. 'Piers is told by Truth that his work is so important that he is not to leave it even to lead the pilgrims on their search for truth, and she further sends him a 'pardon' for not going, if he will stay at home and work hard. A priest disputes the validity of this pardon, and in order to find out who deserve it, a new pilgrimage is begun in search of 'Do Wel.' The wanderer applies in vain to the Franciscan friars to help him, and falls asleep in his search. This is described in one of those exquisite touches of poetry which

¹ Lift up, or open.

² Vol. i. pp. 118, 119.

relieve the stern satire of the poem, and remind one that Langland was a contemporary of Chaucer:—

‘ And thus I wente wide wher
 Walkyng myn one,
 By a wilde wildernessee,
 And by a wodes side ;
 Blisse of the briddes
 Brought me a-slepe,
 And under a lynde upon a launde ¹
 Lened I a stounde,²
 To lythe the layes
 The lovely fowles made.
 Murthe of hire mouthes
 Made me ther to sleple.’³

Thought then appears to the dreamer, and tells him that ‘Do Wel,’ ‘Do Bet,’ and ‘Do Best,’ are

‘three fair vertues,
 And been noght fer to fynde.’

‘Do Wel,’ he proceeds to explain, is the special protector and friend of those who live by honest labour, and do not injure their neighbours. ‘Do Bet’ goes further, and helps those who are in need, and preaches to the poor, ‘*and hath rendered the Bible.*’ ‘Do Best’ is the judge who protects the other two and punishes those who injure or hinder them.

Then follows a passage from which Bunyan

¹ Lawn.

² A short time.

³ Vol. i. p. 155.

must surely have taken the first idea of his town of Mansoul in the ‘Holy War.’ The three virtues above named live in a castle called ‘Anima,’ in which they all have special offices, and are guarded by Sire Inwit, ‘the constable of that castel,’ who is to defend the castle till

‘*Kynde* come or sende
To saven hire for evere.’¹

This ‘Kynde’ is explained to be

‘Fader and formour
Of al that evere was maked,
And that is the grete God
That gynning hadde nevere,
Lord of lif and of light,
Of lisse² and of peyne.’

In the search for ‘Do Well,’ ‘Do Bet,’ and ‘Do Best,’ Piers Plowman more than once appears, and now his exaltation is more complete than before; for he—

‘Come in with a cros
Bifore the comune peple,
And right lik in alle thynges
To owre Lord Jhesus.’³

Then the dreamer is told how the Jews ‘that were gentilmen,’ despised Jesus, when they ought to have honoured him; and how his followers were

¹ Vol. i. pp. 159, 160.

² Blisse.

³ Vol. ii. p. 396.

labouring men; and how Grace still honours Piers Plowman for his labours.

The method of this part is a little obscure, since at times Piers Plowman seems to be identified with St. Peter; sometimes to be merely the representative of labour; but the moral of the sacredness of labour—especially manual labour—is clear throughout.

This poem is interspersed with fierce attacks on the corruptions and oppressions of the time, and was eminently calculated to take hold of the popular imagination at such a time.

The events, too, which were taking place in France must have given considerable encouragement to the democratic movement in England.

Causes of the Insurrection of the Jacquerie.—The Battle of Poictiers, in 1356, had greatly alarmed all parties in France; and the chief result of it was, that the middling and lower classes grew very contemptuous of the lords and knights who had been so thoroughly beaten by the English.¹ There had been already great discontent in the country on the question of the reforms in the coinage which were introduced in the beginning of

¹ Froissart, Lord Berners' Translation, vol. i. p. 208.

the fourteenth century, and the discontent had broken out, on at least one occasion, into open insurrection.¹ This cause of complaint, added to the many taxes which were troubling different parts of France, naturally swelled the cry against the governing classes.

The nobles, on their part, seem to have been paralysed at the sight of the condition of the country. Edward, in his invasion of France, had had to depend on many free lances, and their leaders had preferred to remain behind in France, after Edward had retired; and, raising companies of war, had wandered about the country, plundering, burning, and murdering.

The two principal leaders of these bands were Sir Arnold Cervolle, and a Welshman named Ruffin. And they were strongly recruited by soldiers who had not received their pay from other leaders.² Whilst the Welshman laid waste the country between Paris and Orleans, Sir Arnold confined his brigandage chiefly to Provence, where he was welcomed as a friend and a guest by Pope Innocent VI., at Avignon.³

¹ Contin. Chron. Gerardi de Fracheto (Bouquet, vol. xxi. p. 27).

² Froissart, as above, pp. 214, 215.

³ Ibid.

The provost of the merchants at Paris finding the nobility unable to govern, seized the government into his own hands and fortified the town; while the peasantry, finding their lords unable or unwilling to protect them, threw off their authority, and organized against the brigands the famous insurrection of the Jacquerie.¹

This insurrection was bloodily suppressed; but it had shamed the nobles of France into some sense of duty. They in their turn undertook the chastisement of the brigands, and Innocent VI., who had welcomed Sir Arnold while he was merely murdering and plundering *peasants*, anathematized him and his followers as soon as they were opposed by the *nobility* of France.

Moral Effects of the Plague.—In the mean time, the democratic movement in England was being strengthened by the division between the different opponents of the labourers. The plague of 1348 had been followed in England, as all recorded plagues, from the time of Thucydides downwards, seem to have been, by a great outburst of wickedness. The tournaments, those mediæval prize-fights, which better than any other institution embody

¹ Froissart, as above, pp. 214, 215.

what Professor Stubbs calls the 'cruel, frivolous, unreal splendour of the fourteenth century,'¹ had been frequently denounced by the popes, and, to his honour be it spoken, had been protested against by Edward II. But Edward III. encouraged them by his presence,² and in the decline of morals they became the occasions for the grossest outrages by the aristocracy on the wives of their neighbours.³ Nor was the immorality confined to the nobility. A general relaxation of all morality seems to have been brought out by the Plague; while its effect in lowering the tone of the clergy is described in the following verses by the author of the 'Vision of Piers Plowman':—

' Parsons and parissh preestes
Pleyned hem to the bisshop,
That hire parisshes weren povere
Sith the pestilence tyme,
To have a licence of leve
At London to dwelle,
And syngen ther for symonie;
For silver is swete. ⁴

* * * *

¹ Doc. Ill. Eng. Hist. p. 307.

² See esp. Adami Mur. Chron. p. 132.

³ Chron. de Melsa, vol. 'iii. p. 69.

⁴ Vol. i. p. 6.

' Freres and faitours¹
 Han founde swiche questions,
 To plesse with proude men,
 Syn the pestilence tyme ;
 And prechen at saint Poules
 For pure envye of clerkes ;
 That folk is noght fermid in the feith,
 Ne free of hire goodes,
 Ne sory for hire synnes ;
 So is pride woxen,
 In religion and in al the reme,
 Amonges riche and povere,
 That preieres have no power
 The pestilence to lette.'

At the same time the struggle in the towns between the civic authorities and the guilds² began to force itself more prominently than before on the attention of parliament, and the charges against the monopolists of being insubordinate citizens were rendered more impressive by the accusations of fraud³ which were being directed against them from other quarters.

Nor must it be forgotten that while this contention was embittering the struggle between the privileged and unprivileged classes in the towns, there were many country folk who complained that

¹ 'Deceivers,' vol. i. p. 117. ² Rot. Parl. vol. ii. p. 331.

³ Ibid. p. 323.

the protection which the courts of the city extended to all townsfolk alike, encouraged citizens in acts of violence against the inhabitants of rural districts.¹

Influence of the Friars at Oxford at this time.— Frightful as this picture of anarchy and immorality is, such a state of things could not but hasten its own remedy ; and the need of that remedy was first most clearly felt in the place where the evils were at their worst. However bad the rest of the kingdom may have been, of hardly any part of it is so black a picture drawn as that which we get of the state of Oxford at this time ;² and as the friars were the people first marked out for attack by the reformers, one must come, however unwillingly, to the conclusion that they were the source of a great deal of this wickedness. I would gladly believe that among the men who had recently been suffering for their opposition to the powers that be, there were still some in England worthy to be called followers of St. Francis ; some in Oxford worthy to have been fellow-students

¹ Rot. Parl. vol. ii., pp. 36, 37.

² See Wyclif's Prologue to the Translation of the Bible (ed. Forshall and Madden), pp. 51, 52.

with Adam Marsh, Roger Bacon, and William of Ockham. But the evidence of such men as Langland and Wyclif only adds darker shades to the picture which we know so well in the ‘Canterbury Tales.’

John Wyclif.—It was, then, as a reformer of morality that Wyclif first came forward to oppose the friars. And it was natural, too, that in a place like Oxford he should be especially struck by the shortcomings of the clergy. To them he would look for redress against opponents of discipline as well as morality like the friars, and his wrath would be specially stirred against them, when he found their failure of duty. In his case, too, as in that of St. Francis, the sense of the luxury and neglect of earnest morality which so largely prevailed, led him to a great impatience of secular learning; and he especially complains that the study of theology had been postponed at Oxford to the study of heathen books.¹ Then with a hint of the Order which a few years after he was to found, he exclaims :—

‘But wite ye worldly clerkis and feyned religiouse
that God both can and may, if it liketh him, spedē

¹ Wyclif’s Prologue to the Bible, as above.

symple men out of the Universite, as maisters in the Universite, and therefore no gret charge, though never man of good wille be poisend with hethen mennes errorris ix yeer either ten, but ever lyve well and stodie hooly writ bi elde doctoris and newe, and preche truly and freely agens open synnes to his deth.¹

His Relations to the Court.—Before, however, Wyclif had put forth his scheme for raising up simple men, who should do the work which had been neglected by ‘maisters of the Universite,’ before indeed he had attracted the attention of the public, he seems to have fallen under the notice of the Duke of Lancaster. That powerful and ambitious nobleman, fresh from his conquests in Castille, was eager to aid his father in humbling the pride of the clergy; and in 1363² Wyclif was called on by the court to defend the refusal of parliament to pay the tribute demanded by Pope Urban. Wyclif’s indignation at the corruption of the Church led him to listen readily to the proposals of John of Gaunt and the king, and thus his first appearance in public was as the direct opponent of the papal authority.

¹ Wyclif, as above.

² Shirley, Introduction to *Fasciculi Zizaniorum*, p. xiii.

His Attacks on the Clergy.—But the impoverishment of the realm by the French wars and the plagues attracted greater attention to another form of clerical privilege. The exemption of the monks from taxation, and the power of the other clergy to tax themselves, naturally excited the jealousy and indignation of the other classes of the kingdom ; and Wyclif was next employed to lead an attack on these privileges.¹ Wyclif was far too much in earnest in his desire to reform the Church to stop at such a point as this ; and he soon proceeded to those attacks on the spiritual power of the pope, and on the property of the clergy, which first brought on him such fierce hostility, and secured his condemnation as a heretic.

Influence of John of Gaunt.—But in spite of the great work which was preparing for Wyclif, the patronage of John of Gaunt seemed to overshadow his early work, and to hinder its efficacy. The general prevalence of fraud and corruption in the officers of state, as well as among judges and merchants, roused the Commons against the court ; and John of Gaunt, as the abettor of these evils, was

¹ Shirley, Introduction to *Fasciculi Zizaniorum*, p. xxi.

marked out, with Alice Perers, Lord Latimer, and two London merchants, for special vengeance.¹

The Good Parliament: 1376.—The ostensible leader of the popular movement in the Commons was Peter De La Mare, the speaker ; but a more powerful patron stood behind him. This was the Black Prince, who, though he had, no doubt, in the French wars indulged in the atrocities characteristic of an age of chivalry, yet seems to have had a genuine sympathy with freedom and good government at home ; and it was his death in the same year which made this popular outburst useless, and restored the Duke of Lancaster and Alice Perers to power.²

The death of the Black Prince was quickly followed by that of Edward III., and the opening which this gave to the friends and followers of John of Gaunt, the duke was not slow to avail himself of. The bold attacks of Wyclif on the power of the pope had already procured for him the honour of papal condemnation ; and his attacks on the property of the clergy had made the Bishop of London specially willing to enforce this con-

¹ Adami Mur. Contin. p. 218. Also Rot. Parl. vol. ii. p. 323.

² Ad. Mur. Contin. p. 220.

demnation. John of Gaunt, however, determined to stand by his followers, and openly defied the Bishop of London. So insulting was his manner that the Londoners rose against him and attacked the Savoy Palace.¹ But the new king, Richard II., was friendly both to the Londoners and the clergy, and John of Gaunt was soon forced to retire from court for a time. His power, however, was not completely broken; but both his influence and Wyclif's were for a time weakened by a violent act, which he had directed, and Wyclif had stooped to defend.

Two men who had escaped from John of Gaunt's vengeance, and whom he had claimed as prisoners, had taken refuge in a church. From thence they were dragged by servants of the duke, and one of them was murdered.

In his zeal for the opponent of the clergy, Wyclif had unfortunately tried to excuse this act, and had thereby incurred the odium under which his patron already laboured.

The Parliament at Gloucester: 1377.—But John of Gaunt would not even yet yield without a struggle; and, taking advantage of the power which Richard's

³ Ad. Mur. Contin. pp. 223, 224.

minority gave to him, he succeeded in removing the parliament to Gloucester under excuse of the recent riot in London; and by this unconstitutional measure seemed likely to succeed in persuading the parliament to cut down many of the privileges of the clergy.¹ But Richard stood by the clergy and the duke was defeated.

The 'Simple Priests.'—Although Wyclif was thus hampered in his movement by the patronage of a tyrannical and ambitious man, he was far from neglecting the great work which he had undertaken; and the last two years of Edward III.'s reign had been marked by one, if not two, of the great acts of Wyclif's life which were to link his cause to that of the English people. The simple men who were to confound the learning of the masters of Oxford were being sent out by him from Oxford and elsewhere, 'clothed in long russet cloaks, with bare feet, and ventilating such errors as his openly among the people, and publicly preaching them in their discourses.'²

Translation of the Bible.—About the same time

¹ Walsingham, Hist. Ang. pp. 375—378. See also Shirley's Introduction to *Fasciculi Zizaniorum*, p. xxxv.

² Adami. Mur. Contin. pp. 221, 222.

he startled the orthodox world by his translation of the Bible. What a tremendous blow this was felt to be to the power of the clergy we can best gather from the account given of it by the pseudo Knighton. ‘He translated,’ says Knighton, ‘the Scriptures from Latin into the English, not the angelic tongue, whence it becomes by his means common and more open to laymen and to women who know how to read than it is to tolerably learned and very intelligent clergymen, and thus the Gospel pearl is scattered and trampled upon by swine. And thus what is wont to be dear to clergy and laity is now as it were turned into a common laughing-stock to both, and the jewel of the clergy is turned into a mockery of the laity, so that that for the future is become common to the laity which before had been a talent entrusted from above to the clergy and doctors of the Church.’¹

Nor should we lose sight of the fact that some of the actual doctrines taught by Wyclif attacked the privileges not merely of the clergy but of secular nobles. At any rate, among some of the propositions which were first condemned as his, he was said to have maintained that charters cannot be

¹ Knighton (Twysden as above), p. 2644.

granted by men for perpetual inheritance, and that God cannot give to a man for himself and his heirs civil dominion for ever.¹

No doubt, too, the splendid ring of those words which seemed to contain the essence of Protestantism, 'It is not possible that a man should be excommunicated to his injury, unless he be first and principally excommunicated by himself,'² must have had their effect in time in stirring the hearts of the people, when preached among them by his bare-footed, simple priests.

The withdrawal of John of Gaunt from court, after the first rising of the Londoners against him, tended to increase Wyclif's popularity, which must have been further assisted by the substitution for the patronage of John of Gaunt of that of the Fair Maid of Kent, the widow of the Black Prince. When, then, the next attempt was made to secure a condemnation of Wyclif in London, the Londoners

¹ *Fasciculi Zizaniorum*, p. 246. See also Wilkins, *Concilia*, vol. ii. p. 123.

² *Ibid.* p. 250. See also, both as to this and the former quotation, Walsingham, *Hist. Anglicana*, vol i. p. 354. Note also that, in the explanations given by Wyclif of the propositions about human charters and civil dominion (Walsingham, p. 358), he does not really modify their force.

rose this time on his behalf,¹ and frightened the bishop into abandoning the prosecution.

The Class Struggle in Richard II's Reign: 1377 to 1380.—In the mean time the struggle between the workmen and their employers had been increasing in bitterness. Special judges had been appointed to enforce the Statutes of Labourers,² and even these were found unable to carry out the work. The workmen who were refused their wages in one county fled to another, and the Commons next addressed themselves to restricting their places of work as well as their wages.³ Immediate imprisonment was suggested as a punishment for this crime; and for fear that any merchant or employer should be more liberal than his neighbours, special punishment was to be inflicted on those employers who gave higher wages than their neighbours, or who took into their services workmen who had escaped from other counties.⁴ Even the protection given to those escaping from serfdom, by the towns, was now

¹ Walsingham, Hist. Ang. p. 356.

² See esp. Rot. Parl. vol. ii. p. 238 and p. 252.

³ Ibid. p. 312 and p. 340.

⁴ Rymer, Fœdera, vol. v. p. 693, and vol. vi. pp. 614, 615.

grudged to the serfs;¹ and those who had raised themselves into the possession of free lands, and who were trying to work on their own account, were, if possible, to be thrust back into a lower position.² It is a curious instance of the bitterness of this struggle, that it is in a document of the year 1373 that we first find the word *vilenia* used as implying moral reproach, and evidently as a new word.³

The villeins, however, were growing steadily more conscious of their strength. They appealed boldly to Domesday Book in the law courts as evidence of the injustice of some of their masters' claims, and they combined together to raise funds for their own support, and to threaten even personal violence to those who hindered them.⁴ In spite too of the opposition of the parliament the labourers continued to desert the less profitable occupation of husbandry, and to crowd into the towns.⁵

In some instances the labouring classes attempted to turn the very statutes which had been devised against them into a weapon against their oppres-

¹ Rymer, *Fœdera*, vol. vi. p. 319.

² Ibid. vol. iii. p. 17.

³ Ibid. vol. vii. p. 20.

⁴ Rot. Parl. vol. iii. p. 21.

⁵ Ibid. p. 46.

sors. Thus certain men, claimed as villeins by the Abbey of Meaux, but who claimed for themselves the higher position of villeins of the king, after vainly struggling to prove their independence of the abbey, suddenly turned upon the monks, and accused them of having taken from them by force certain workmen whom they were employing for their work 'contrary to the form of statute and ordinance which had been promulgated about workmen, artificers, and servants, to be observed in the County of York.'¹ But the terrible weapon of corruption was still in force in the law courts, and, in the instance mentioned above, it seems to have tended to secure the ultimate decision in favour of the monastery.²

If, too, Richard and his parliament were unable to check the progress of democracy, they could do as little to hinder the insolence of the nobles; and one of the parliaments which demanded the enforcement of the Statute of Labourers, complained also of the power of summary imprisonment which the king had granted to several lords in different parts of the kingdom.³

¹ Chron, de Melsa, vol. iii. p. 131.

² Ibid. p. 133.

³ Rot. Parl. vol. iii. p. 65.

Change of Court Policy towards the Lollards.—In one point the attitude of Richard was entirely different from that of his grandfather. The side which the young king had taken in the debates in the parliament at Gloucester was typical of a coming change of policy.

The influence of John of Gaunt was for the time completely broken at court, and Richard began to consult the pope about the best means of suppressing heresy.¹ At the same time, however, the fear of the Mendicant Orders was increasing at court; and whereas they had hitherto been chiefly denounced by the bishops as opponents of Church discipline,² or by the Lollards as immoral heretics, they were now threatened with banishment by the king as preachers of treason.³

General Summary of State of England just before Wat Tyler's rising.—Such, then, was the state of things in England in the year 1380. The nobles suspicious of the king, hating the clergy, and disgusted at the growing power of the merchants; the leading clergy more careful of

¹ Rymer, *Fœdera*, vol. vii. p. 298.

² Wilkins, *Concilia*, vol. ii. p. 64.

³ Rymer, *Fœdera*, vol. vii. p. 180.

holding their own against the nobles, of denouncing heretics, and keeping down the wages of chaplains, than of their higher duties ; the small gentry and the merchants complaining of the tyranny and license of the nobles on the one hand, and struggling to keep down the serfs and workmen on the other ; the serfs struggling to rise to a freer position in spite of these opponents ; the workmen flying from one county to another to secure a free market for their labour ; the friars, who had been the champions of the poor, now changed into their corruptors and plunderers ; and, last and saddest of all, the one man who seemed specially raised up to bring a purer life to the country, still hampered, if not by the presence, at least by the tradition of the patronage of the most lawless and tyrannical of the oppressors of the country. To what quarter could England turn for help in this time of anarchy and misery ?

CHAPTER III.

INSURRECTION OF BALL AND TYLER, 1381.

THE south-eastern counties of England had had from a very early time a peculiar position in the country. Even Cæsar at the time of his invasion had noticed the superiority of Kentish men to the inhabitants of the other parts of the island. Whatever of improvement or development the first settlers from the northern nations had brought to England, must at any rate have first been established in Kent.

Early History of Kent.—An advantage of even more importance was gained by Kent at the time of the coming over of Augustine.

Professor Stubbs has shown us how much constitutional freedom in England before the Conquest owed to the institution of the Church Councils, which were brought in by Augustine and his followers. And we have additional proof of the

tendency which Augustine's influence had in this direction, in the fact, that the first written laws which have been handed down to us, as established in any part of England, were those which were established in Kent about the time of Augustine. The earliest, and in some ways one of the most important, of the monasteries in England, was the one to which Augustine gave his name at Canterbury. All these advantages were secured to Kent mainly by its geographical position.

But there were other advantages which were due to other causes. Over a large part of Kent stretched the Weald, which in early times contained a great deal of waste land; and from the inaccessible character of much of the woods which grew up there, the inhabitants were less under the control of their lords than many of the surrounding tenantry.¹

This Weald extended through Sussex and Surrey,² and the extent to which the privileges gained by its position were recognized in the thirteenth century, even by such a king as John,

¹ Hasted's Hist. of Kent, vol. i. p. 134. See also Furley's Weald of Kent, p. 373.

² Furley's Weald of Kent, pp. 386, 387.

may be gathered from the following appeal to the men of the Weald of Sussex in 1207 :—

‘The king to all earls, barons, knights, and free-holders of the County of Sussex greeting: “We pray you for the love of us to assist us now in carrying our timber to Lewes, resting assured that we ask this not as a right but as a favour, nor is it our will that the same may be turned into a prejudice; and so act in this that we may have cause to thank you.”’¹

To such height had the independence of the men of the Weald risen in the time of Edward III., that the landlords of a great part of the Weald thought it worth while to hand over to their tenantry the right of cutting down or leaving standing the wood as they pleased ; and though they still maintained their claim for rent and services, these concessions show sufficiently the growing independence of the tenantry.²

These causes, and others which I am about to mention, led to a very much greater assertion of local self-government in Kent than was able to be preserved in other parts of the country.

¹ Furley’s Weald of Kent, p. 412.

² Hasted’s Hist. of Kent, vol. i. p. 135.

As early as 966, a Kentishman refused to recognize any decision about the ownership of his land than that given by the court of his Hundred;¹ and the special privilege of the Kentishmen, of finishing their lawsuits at Penenden Heath, is recognized even in Domesday Book.²

At the Norman Conquest, indeed, Kent suffered severely from the tyranny of Odo of Bayeux, and then no doubt grew up what subsequently became one of the counteracting causes to the freedom of this county. The land fell into the hands of a very large number of churchmen.³ But, in spite of the tyranny of Odo, of the breaking up of some of the common land by the favourites of the Conqueror, and of the power exercised by the bishops and monks, the tradition of Kentish freedom remained for a long time not merely among the inhabitants of the Weald, but as embodied in the claim of the Kentish Custumal, ‘that the bodies of all Kentishmen should be free, as well as the other free bodies of England.’⁴

¹ Furley’s Weald of Kent, p. 152.

² Ibid. p. 268.

³ See the list of tenants in chief, quoted from the Domesday of Kent, by Furley (Weald of Kent, p. 240). See also ibid. p. 393.

⁴ See Hasted’s Hist. of Kent, vol. i. p. 141.

That this bold claim did not nearly correspond to the actual fact is clear enough from Domesday Book, as well as from later evidence to which I shall afterwards allude. But the importance of such a tradition as this, as well as of that other tradition, now so contemptuously rejected by most historians, of the resistance of the Abbot of St. Augustine's and the Kentishmen to the Conqueror, can hardly be over-estimated. For a time, indeed, the special privileges belonging to the serfs of *churchmen* may have tended to connect even the growth of ecclesiastical influence with the freedom of Kent; but as the monks tried to strain their authority over their serfs, and to hinder the development of town life, which was springing up in spite of them, other influences were necessary in Kent and the surrounding counties to counteract the monastic influence.

One of these influences was produced by the growth of the iron trade in Kent,¹ in the thirteenth century, which called out the independent energies of the workmen and merchants, and weakened the power of the clergy and the soldiers.

¹ Furley's Weald of Kent, p. 394.

Another source of independence was found in the peculiar position of some of the towns on the south-eastern coast. From very early times, Dover, Sandwich, and Romney had claimed special privileges which were recognized in Domesday Book, in consequence of the important services which they rendered by sea in times of invasion.¹ The towns of Hastings and Hythe afterwards grew into equal importance, and began to claim the same privileges as the three first towns. They claimed to 'be impleadable in their owne townes. They have amongst themselves, in each port, their particular place of justice; they have power to take the inhabitants of other towns and cities in Withernam; to governe Yarmouth, by their bailife for one seeson of the yeere; to do justice upon criminall offendours; to hold plea in actions, real and personal; to take conusance by fine; and to infranchise villeins.'²

These extensive powers, while they raised the dignity of those towns, and developed one side of municipal independence, were of course resented

¹ Lambarde, *Perambulation of Kent*, p. 104.

² *Ibid.* p. 113.

by towns like Yarmouth, over which they claimed such special authority ; and in 1290, the burgesses of Yarmouth compelled the barons of the Cinque Ports to arrange on equal terms the question of the relations between them.¹

Condition of the other South-eastern Counties.—For both municipal independence, and the struggle against ecclesiastical and especially monastic rule, was not confined to Kent, but stretched along the eastern and south-eastern coast. While Yarmouth represented that side of municipal independence which was specially due to maritime importance, the townsmen of Norwich and King's Lynn were struggling into freedom in spite of the power of their bishop and the monks.²

In Suffolk, in a similar manner, the town of Ipswich grew into great importance during the twelfth and thirteenth centuries, and even stretched its powers over the surrounding country, and laid taxes on the nobles and their followers,³ while

¹ Cotton, *Hist. Ang.* p. 75.

² *Ibid.* pp. 146, 147, and p. 152, and p. 422. See also *Johannes de Oxenedes*, p. 247; also *Ann. de Osneia*, *Ann. Monast.* vol. iv. p. 249. See also the denunciation of the Pastor of Norwich in the songs written on *De Montfort* (*Wright's Political Songs*, from John to Edw. II. p. 62). See also *Wilkins, Concilia*, vol. iii. p. 118.

³ *Wodderspoon's Memorials of Ipswich*, specially pp. 158, 159.

the town of Bury was still struggling for its independence against the monks.¹

In Bedfordshire, the same kind of struggle was going on between the men of Dunstable and the Priory there; while Bedford probably played, though in a much less important degree than the towns of Ipswich and Yarmouth, the part of the representative of completer municipal freedom.²

In Cambridgeshire, the struggle between the University of Cambridge and the town, though less bitter than that at Oxford, must considerably have coloured the feeling of the county; and if we may argue from the analogy of Oxford to a University, of which we have fewer hints from the records of the time, the general interests of freedom were in this case better cared for by the opponents of the municipality. At any rate, in their opposition, to the friars in the fourteenth century, the University of Cambridge must as much deserve our respect as that of Oxford; since

¹ See Chapter II.

² The evident jealousy felt by the Priory of Dunstable for the town of Bedford is one proof of this. See esp. Ann. de Dunst., Ann. Monast. vol. iii. p. 326. But it is clear that Bedford, though much in advance of Dunstable in freedom, was still to some extent in a struggling position in that respect. See ibid. p. 57.

then, the universities had become champions of morality and good government, and the friars the opponents of both.¹

In Lincolnshire, the struggle with the monks seems, as far as the town of Lincoln was concerned, to have been due to rivalry in trade rather than to any claim of the monks to authority over the townsmen;² and the grievances under which the men of Lincolnshire were labouring were rather those inflicted by the officers of the king.³ But in Lincoln,⁴ as in Yarmouth,⁵ we catch sight of that bitterer struggle which divided the poor and rich in the town itself.

In Sussex, in spite of the effect produced by Hastings, and the traditional freedom of the Weald, various irritating customs seem to have been in use, enforced even over the freeholders by the local lords; and the Abbot of Battle represented that irritating clerical influence which so much interfered with the growth of the towns,

¹ As to my reason for this severe judgment of the friars, see Chapter II. As to the share of the University of Cambridge in the struggle against them, Rot. Parl. vol. ii. p. 290.

² Rot. Parl. vol. i. p. 156.

³ Ibid. pp. 291, 292.

⁴ Ibid. p. 51.

⁵ Barnes, Hist. of Edwd. III. p. 891, 892.

though he sometimes exerted it on the popular side.¹ Yet even here, the town of Lewes seems to some extent to have represented the principle of municipal liberty.²

Of Surrey it is only necessary to say that then as now it contained the borough of Southwark, which was particularly impatient of the rule of the City.

I have left till the last the county which played a part hardly inferior to Kent, in the rising of which I am to speak : I mean the county of Essex. Here, although the same woody character which prevailed in the Weald of Kent seemed likely to give a greater tone of independence, the condition of the poorer classes was worse than in that of the adjoining counties, and the actual sale of slaves seems to have prevailed here in the fourteenth century, even if it had died out in other parts of the country.³

The Forest Laws, too, weighed particularly heavily on Essex, and the intrusion of the judges of the Forest beyond their proper jurisdiction caused special irritation in this county.⁴

¹ Adami Mur. Contin. p. 199.

² See esp. Horsefield's Hist. of Lewes, p. 7.

³ Wright's History of Essex, p. 56.

⁴ Ibid. p. 23.

Preaching of John Ball.—The people of Essex, therefore, were particularly ready to listen to insurrectionary preaching at this time; and it is here apparently that the remarkable man who, even more than Tyler, was the moving spirit in the insurrection of 1381, came to preach towards the end of the reign of Edward III. This was John Ball, who apparently belonged to the class then known as parochial chaplains;¹ a class which, as I mentioned above, seems to have corresponded among churchmen to the ordinary artisan class among the laity. They had had apparently to take care of the churches, and had risen into some importance from the want of other clergy during the plague of 1348.²

They, like the other labourers, had taken advantage of the greater need for their services to ask for higher salaries at this time, and those who had done so had been sternly rebuked by the archbishop, and threatened with removal from their offices.³ They seem, however, to

¹ In the order for Ball's arrest, mentioned below, he is called Capellanus Diocesis. Knighton also describes him as Capellanus, p. 2364 (as above).

² Chron. de Melsa, vol. iii. pp. 68, 69.

³ Wilkins, Concilia, vol. iii. pp. 1, 2, and 15.

have been in some cases more popular with the townsfolk, and to have been protected by them against the friars.¹

Ball's preaching may possibly have extended to Kent;² but it was to Essex that he especially devoted his ministrations; originally, indeed, he came from York, but after his arrival in Essex devoted himself specially to Colchester.³ Much of his preaching seems to have had a purely moral object; for he insisted on the necessity of marriage; teaching, according to this account of his sermons, that no one was fit for the kingdom of heaven unless he was born in matrimony.⁴ He insisted, like Wyclif, on the necessity of a voluntary priesthood, because that institution would enable the people to confine their support to those who deserved it.⁵ From this apparently he went on to complain of the

¹ See the case of Yarmouth, Cotton, *Hist. Ang.* p. 429.

² Froissart (Johnes's translation, vol. i. p. 652) speaks of Ball as 'a crazy priest of Kent'; but this, like many of Froissart's statements about this rising, is directly contrary to the best evidence.

³ Walsingham, *Hist. Ang.* vol. ii. p. 33. ⁴ *Ibid.* p. 32.

⁵ *Ibid.* vol. ii. p. 32, the sentence beginning 'docuit etiam decimas'; compare this with Wyclif's view, as stated in his tract, 'De ecclesia et membris suis,' p. 65 of *Three Treatises* by J. Wickliffe, ed. Todd.

injustice of demanding tithes from poor men, and finally denounced the slavery under which the commons of Essex were labouring.¹ The charges of more ferocious advice, which were afterwards brought against him during the panic of the insurrection, we may fairly set aside ; first, because of the omission of any such counsels in the letters which I shall quote hereafter ; secondly, on the admission of even Froissart² himself that his main counsel to his hearers was that they should appeal to the king for justice ; thirdly, on the evidence which I shall produce of the conduct of the men of Essex themselves during the insurrection ; and, finally, on the ground that these charges are not mentioned by Walsingham as brought forward at Ball's trial.

Ball's preaching seems to have begun between 1350 and 1360,³ at the time when morality was at a very low ebb, and when the lords and poorer gentry were struggling in every way to prevent the villeins from rising to the freer position which

¹ Walsingham, Hist. Ang. vol. i. p. 33.

² Froissart (as above), p. 653.

³ Walsingham says (p. 32), speaking of 1381, that Ball had been preaching 'per viginti annos et amplius.'

seemed to be open to them after the plague, and to prevent the workmen from gaining higher wages.

It was in 1366 that he first began to attract the attention of the authorities. Simon Langham, Archbishop of Canterbury, was growing alarmed at the irregular preachers' who were springing up in the Church. The mendicant friars, though they had become terribly corrupt, seem still to have kept their hold on many of the people, and continued to interfere, in spite of ecclesiastical prohibitions, with the duties of the parochial clergy.¹ Their preaching, though in some respects of the same character as that of Ball, had no doubt a lower influence. Their easy views about marriage,² and the general laxity of morality in their relations with their penitents, about which Wyclif says, 'They doren not snybbe (snub) men of this synne lest her order leese worldli

¹ Wilkins, *Concilia*, vol. iii. p. 64.

² See Wyclif's Treatises as above, p. 32. 'They makyn many dyuorsis, and many matrimonys unleewful bothe bi leesynges madd to parties, and bi privileges of ye court.' This probably is what is alluded to in the Prologue to Chaucer's *Canterbury Tales* in the description of the Frere—

' He hadde imade many a fair mariage
Of yonge wymmen at his owne cost.'

help,'¹ strikingly contrast with Ball's preaching about matrimony. But though Archbishop Langham does not seem to have confounded the two kinds of discourses, both were equally objectionable to him, as being delivered in an unlicensed manner.

Ball's First Imprisonment.—Ball he accused of claiming the dignity of presbyter unfairly,² and of preaching manifold errors and scandals, tending to the loss of his own soul and to that of his favourers, as well as to the manifest scandal of the universal Church. Every one, therefore, is ordered under pain of excommunication to withdraw from the sermons of Ball, and not to attend them in future; and Ball himself is summoned to answer for matters 'touching the correction and salvation of his soul,' before the Archbishop. Whatever the result of this examination may have been, it seems to have had little effect on Ball.³ He extended his preaching into the diocese of Norwich, where he incurred the excommunication both of the Bishop of Norwich and the Arch-

¹ Wyclif, Treatises as above, pp. 35, 36.

² Wilkins, Concilia, vol. iii. p. 64.

³ Rot. Pat. 50 Edw. III. Part II. 28 d.

bishop of Canterbury,¹ and Edward III. himself seconded the spiritual weapons of the clergy by an order to the Sheriff of Essex to arrest Ball², and imprison him.

Ball Accepts the Doctrines of Wyclif.—In the year when this arrest was made Wyclif's simple priests were coming into note. Sent forth originally from the University of Oxford, their work lay chiefly in the diocese of Lincoln,³ in which, at that time, the University was included. But their influence no doubt extended beyond those limits, and Ball readily embraced the doctrines of the great reformer.⁴ On this account it was that after his release from imprisonment Ball was prohibited from preaching in churches. Nothing daunted, however, he began now to address the people in market places and cemeteries,⁵ and was accused of making personal attacks⁶ on the new Archbishop of Canterbury, Simon de Sudbury. Sudbury had

¹ Simon de Sudbury's Register, MS. Lambeth, 6071, p. 26. See also Walsingham, Hist. Ang. vol. ii. p. 13.

² Rot. Pat. as above.

³ Shirley, Preface to Fas. Ziz. p. 40.

⁴ Walsingham, Hist. Ang. vol. ii. p. 32.

⁵ Ibid. See also Wilkins, Concilia, vol. iii. p. 152.

⁶ Wilkins, Concilia, as above.

already, when Bishop of London, excommunicated Ball, and now, after another general warning of his clergy, he threw him once more into prison.¹

State of the Country at this time.—But in the mean time other events had been hastening on the coming insurrection. The weakness of Richard's government had tended to strengthen the power of the nobles and to raise them above the law,² while the continued attempts of the labourers to find masters who would give them higher wages were producing irritating renewals of the limitation on the transference of their labour and the rate of their wages.³

The Poll Tax: 1380.—Another more degrading class of tyrants was at the same time springing up in the kingdom. In 1379, complaints were made to the king about his habit of farming out taxes to oppressive underlings, who used the letters of credence which they had procured to exact much larger sums⁴ than the king had permitted them to raise. Richard admitted the reasonableness of these complaints; but in the following year, 1380,

¹ Lambeth MS. f. 75 a, Simon de Sudbury's Register.

² Rot. Parl. vol. iii. pp. 45 and 65.

³ Ibid. pp. 45, 46.

⁴ Ibid. p. 62.

an opportunity was given for a revival of this form of oppression by the enactment of the poll tax of a shilling a head, to be levied equally on each man and woman of full age throughout the kingdom.

The well-known love of freedom of the Londoners, and their frequent resistance to arbitrary power, prevented the king and his council from venturing to pass this Act in a London parliament, and it was therefore at Northampton that the legislature met on this occasion.¹

But whether enacted at Northampton or London, a law which demanded an equal contribution from the poor workman and the rich merchant could not fail to provoke opposition; and other events which were happening in the same year tended to strengthen and embitter this opposition. For just when the poll tax was being enforced in England, the populace of Paris were once more rising to resist the taxation laid upon them; and had so frightened the king and nobles of France as to compel them to throw up special fortifications to protect themselves against the violence of the crowd.²

¹ See esp. Walsingham, Hist. Ang. vol. i. p. 449.

² Ibid. p. 445, 446.

In the same year, too, Philip Van Artevelde had roused the Flemish towns once more to throw off the control of the French nobility. But more cruel oppressions than any which I have discovered as inflicted on the French at this time; deeper insults than any which Artevelde resented, were needed to goad the long-suffering English peasantry and workmen into insurrection.

The Manner of its Levyng.—A man named John Leg succeeded in obtaining for himself and three other associates a commission from the king to inquire, especially in Kent and Norfolk, into the reasons why the poll tax did not make so full a return as had been expected.¹

Under this pretence, and armed apparently with the king's authority, these ruffians went through every town and village of Kent, summoning before them all the men, women, and girls, and, under pretence of inquiring as to the ages of the women, and their consequent liability to be taxed, inflicted upon them the grossest insults.²

Unable to endure these wrongs, and yet not knowing how to resist them, the Kentish men

¹ Knighton (Twysden, Script. Ang. Dec.), Book IV. p. 2633.

² Ibid.

began to mutter vengeance without at once breaking out into insurrection. A certain Thomas Baker of Fobhyngges began to take a lead among his neighbours, and consulting with one and another prepared to organise resistance to this intolerable oppression.¹ As yet, however, no blow was struck, and the ruffianly commissioners continued their infamous career.

Immediate Causes of the Rising: 1381.—In the following year, however, when John Leg and his companions came down to Gravesend they found the Commons of Kent in great agitation at the discovery that a fellow-townsman of theirs had been seized by Sir Simon Burley under the pretence that the man was his bondsman.² The Commons of Gravesend seem to have offered resistance to Leg's commission; but as yet they were without a leader, and they flocked to Dartford to look for

¹ Knighton, as above.

² Stowe's Chronicle, p. 284. It is a curious fact that neither this affair of Sir Simon Burley's, nor the better known incident which follows, have been preserved to us by any chronicler of the fourteenth century whose works have come down to our time. It is clear, however, from Stowe's own statement that he had access to some original authorities which were still discoverable in his time, and we may, I think, rely on the accuracy of his use of them.

one. There, apparently, some of Leg's fellow-criminals had already arrived, and had gone to the house of one John Tyler, and demanded of his wife the payment of the poll tax on behalf of herself, her husband, and her daughter. She refused to pay for her daughter as not being of age, and the collector thereupon seized the daughter, declaring he would discover if this were true. Neighbours came running in, and John Tyler, 'being at work in the same town tyling of an house, when he heard thereof, caught his lathing staff in his hand and ran reaking home; where reasoning with the collector who made him so bold, the collector answered with stout words and strake at the tylar; whereupon the tylar, avoiding the blow, smote the collector with the lathing staff that the brains flew out of his head. Wherethrough great noise arose in the streets, and the poor people being glad, every one prepared to support the said John Tylar.'¹

The flame of insurrection now quickly spread, and Wat Tyler of Maidstone was chosen as the leader of the movement.²

Wat Tyler.—Of Tyler's previous life nothing seems yet to have been discovered, and nothing has

¹ Stowe, as above.

² Stowe's Chron. p. 284.

been conjectured even by Stowe. From his being called 'Tighler of Maidstone' we gather that he was specially connected with that town ; but the fact of his being chosen leader by the insurgents of Dartford, and the similarity of his name to that of the John Tyler of Dartford, leads one to suppose that he was, at least, well known in the latter town.

The immediate action of the insurgents seems, at any rate, to have been specially inspired by the men of Dartford and Gravesend. The Bishop of Rochester claimed over Dartford that kind of absolute judicial authority which was so often exercised at that time by bishops and abbots over towns which were trying to struggle into independence.¹

The Siege of Rochester Castle.—In the castle of Rochester, too, Sir Simon Burley had imprisoned the bondsman whom he had carried off from Gravesend ; and therefore, while a detachment of the insurgents was despatched to Canterbury to compel the townsmen to swear allegiance to the king and the Commons of England, Tyler and the rest of his followers marched against Rochester.²

The Rising in Essex.—But the insurrection had

¹ Rot. Hundred, vol. i. p. 235.

² Stowe as above.

now spread to Essex, if it had not burst forth there at the same time as in Kent. The agricultural labourers who had suffered so much in that county, banded themselves together, and marched to the towns near which they worked, ordering all, both old and young, to come to their aid with such arms as they could find. Farms were quickly deserted, and in a short time a band of nearly five thousand men had been gathered together; some armed with sticks, others with rusty swords, others with bows and arrows, some snatching up the axes and hatchets with which they had been working. But though none of them were provided with any regular armour, they marched confidently forward, and sent messages to the Kentish men with offers of help and friendship.

As they were on their way to join their allies, the men of Essex encountered the pilgrims who were going to Canterbury, and exacted from them an oath that they would be faithful to King Richard and the Commons, and that they would never submit to any other tax than the fifteenth which their fathers had recognized as the only lawful one. At the same time the bitterness against John of Gaunt which had been so long

accumulating burst forth. The duke, indeed, was absent in the North of England, fighting against the Scots; but the hatred which he had incurred led the poor men to associate his name with all the evils which they suffered. They therefore exacted from the pilgrims a further oath, that they would never accept a king named John.¹ Giving on the way such proofs as these of their power and their intentions, the men of Essex marched forward to the siege of Rochester Castle.

The Rescue of John Ball.—But there was a prisoner who was more interesting to them than any Gravesend citizen could be. John Ball still lay in prison at Maidstone, where the archbishop had a palace, and it was necessary to free him before further action.²

The palace of the archbishop, and the park which he had enclosed, excited the indignation and jealousy of the men who were still smarting under the insults which they believed he had sanctioned, and it was not wonderful, therefore, if, in freeing their prisoners at Maidstone, some of the men who

¹ See, for this whole account, Walsingham, Hist. Ang. vol. i. pp. 454, 455.

² Knighton, as above, p. 2364.

accompanied the army of Tyler, seized the opportunity to kill the beasts which the archbishop kept in his park.¹ But the great work was done when Ball was free; for if Tyler was more and more recognized as the head of the movement, Ball was undoubtedly its heart; and he proceeded to send to his old friends of Essex, as well as to the Commons of Norfolk and Suffolk, letters which illustrate at once the spirit of his preaching and of his influence on this movement.

His Letters.—The most complete of these is that given by Walsingham.² ‘ John Schep, somtyme seynt Marie prest of York, and nowe of Colchестre, greteth well Johan Nameles, and Johan the Mullere, and Johan Cartere, and biddeth hem that thei ware of gyle in borough, and stondeth togidder in Goddis name, and biddeth Piers Ploughman go to his werke, and chastise welle Hobbe the robber, and taketh with you Johan Trewman, and all his felaws and no mo, and loke schape you to on heued and no mo.³

¹ Wilkins, *Concilia*, vol. iii. p. 153.

² *Hist. Ang.* pp. 33, 34.

³ *i.e.* choose one head, or leader; the suggestion of schape instead of scharpe was made to me by Mr. Martin of the Rolls' Office.

'Johanne the mullar hath ygrowde smal, smal, smal,
 The Kynges sons of Hevene shall pay for alle,
 Beware or ye be wo,
 Knoweth your frende fro youre foe,
 Haueth enowe and saithe hoo,
 And do welle and bettee and flethe synne,
 And seketh pees, and holde therynne,
 And so biddeth Johan Trewman and all his felawes.'¹

Two other letters of similar import, but even more sternly moral and theological in their tone, are given by the pseudo Knighton, as addressed to the Commons of Norfolk, Suffolk, and Essex :—²

(1.) 'Jon Balle greteth yow wele alle, and doth yow to understande that he hath runge your belle. Now ryst and myst wylle and skylle. God sped eevery dele. Now is tyme Lady helpe to Jhesus the same, and the sonne to his fadur to make a gode ende in the name of the Trinite of that is beginne. Amen, amen, pur charite, amen.'

(2.) 'John Balle, seynt Marye prest, grete wele all manner of men, and byddes them in the name of the Trinite, Fadur and Sonne and holy Gost, stonde manlyche togeder in trewthe and help trewthe schal help yowe. Now reigneth pride in

¹ Walsingham, Hist. Ang. vol. ii. pp. 33, 34.

² Knighton (Twysden, Ang. Script. Decem.), p. 2638.

pris and covetys is holde wys, and lecherye withouten shame, and glotony withouten blame. Envye regneth with treson, and slouthe is taken in grete sesone. God do bote,¹ for now is tyme, amen.'

It will be observed that the tone and phraseology of these letters are to a great extent derived from the 'Vision of Piers Plowman.' The 'Do welle and bettre and fletch synne,' particularly reminds one of the search of the dreamer for 'Do Wel,' and 'Do Bet,' and 'Do Best,' and the same influence may perhaps be traced in the addresses of some of the other leaders of the movement.

But the influence of the stricter morality of the simple priests of Wyclif which was now so generally recognized,² is also evident in the denunciations of sloth and guile which run through most of the letters. Of these Jack Trewman's

¹ Exact the penalty.

² See esp. Chaucer's *Cant. Tales*, vol. iii. Aldine ed. p. 106—

'Sire parissh prest,' quod he, 'for Goddes boones,
Tel us a tale as was thy forward yore,
I see wel that ye lered men in law
Can mochel good by Goddes dignite.'
The person him answerde 'Benedicite,
What eyleth the man so synnfully to swere?'
'Now goode men' quod our ost 'herkneth me,
I smell a Loller in the wind' quod he.'

is the most remarkable; and from the allusion to a Bishop of Bath one may conclude that it was written after the arrival of the Somersetshire contingent.

The Letters of Ball's Followers.—‘ Jakke Trewman doth yow to understande that falsenes and gyle havith regned so long, and trewth hath been set under a lock, and falsness and gyle regneth in every flokke. No man may come trewth to but he sings si dedero.’¹

‘ Speke, spend, and save, quoth Jon of Bathon, and therefore synne fareth as wilde flode, trew love is away that was so gode, and clerkus for welthe worthe them wo. God do bote for now is tyme.’

Many of the bitterest struggles between the monks and their dependants had turned on the claim of the latter to grind their own corn. This may perhaps account for the following utterance of Jakke Mylner:—

‘ Jakke Mylner asketh help to turn his mylne aright,
He hath grounden smal, smal,
The king’s son of heaven he shall pay for alle.’

¹ This is evidently an allusion to some old monkish hymn.

Loke thy mylne go aright with the foure sayles and the post stand
in steadfastnesse. With ryght and with myght, with skyle and with
wylle, let myght help ryght and skylle go before wylle, then goth
our mylle aryght, and if myght go before ryght, and wylle goth
before skylle, than is our mylne mys a dyst.'¹

Lastly, Jakke Carter speaks out in a more poetical tone :—

'Jakke Carter prayes yowe alle that ye make a gode ende
of that ye have begunnen and doth wele and ay
better and better for at the even man hereth the day.'

Gathering of the Insurgents.—The insurgents now began to move towards London to demand justice from the king, but the news of their insurrection had by this time spread far beyond its original limits. From Suffolk, where the most sturdy opposition had been offered to the first enactment of the Statute of Labourers;² from Norfolk, where the ruffianism of Leg and his friends had been carried out in the same manner as in Kent;³ from Sussex, where the traditions of common action with Kent and Surrey still prevailed; from Hertfordshire, where the struggle had been specially violent between the Abbey of St. Alban's and the neighbouring town, and where ruffianism and robbery

¹ i.e. mis adroit, turned aside.

² Rymer, *Fœdera*, vol. v. p. 693.

³ Knighton, p. 2633.

had risen to a great extent during the previous reign;¹ from Cambridgeshire, which seemed to some extent to share the grievances of Hertfordshire; from Lincolnshire, where the oppressions of the king's officers had been specially severe; from Somersetshire, where the abbots of Glastonbury had struggled hard to keep down their serfs, while protecting them against the Earl of Gloucester and the Bishop of Bath;² from Yorkshire, where the men of Beverley had their own grievances against the convent of Meaux; from Warwickshire and Staffordshire, which were suffering from the lawless inroads of the men of Chester; in short, from every part of the kingdom where oppression and violence reigned, men came flocking from London to join the standard of Tyler.³

¹ Walsingham, Hist. Monast. S. Albani, vol. i. sec. ii. p. 465.

² See Ad. de Dom. Hist. de Reb. gest. Glast. esp. pp. 459, 460, p. 533, pp. 571—573, and pp. 580, 581.

³ Walsingham mentions (Hist. Ang. vol. i. pp. 454—456) Kent, Essex, Sussex, Hertford, Cambridge, Suffolk, and Norfolk, as sharing in the insurrection. Knighton (p. 2633) specially mentions Surrey. In Rymer, Fœdera (vol. vii. p. 316), mention is made of the restoration of villeinage in Lincolnshire after the insurrection. In ibid. p. 338, mention is made of insurrections at Bridgewater, Beverley, and Scarborough. In Rot. Parl. (vol. iii. p. 100) thirteen Somersetshire and eight Winchester men are mentioned as being exempted from the king's pardon. Warwickshire and Staffordshire are specially mentioned by Froissart.

Bitter as was the feeling against the nobility in many parts of the kingdom, the accusation against the rebels of a general desire to destroy the aristocracy is sufficiently refuted by the very chronicler who makes it; for he admits that in many parts of England the insurgents tried to persuade the knights and nobles to lead them on to London.¹ Apprentices, hampered by the Statute of Labourers in the disposal of their labour, left their masters to join the insurgents;² villeins suffering from the degrading services demanded from them, the interference with the disposal of their daughters in marriage,³ and the arbitrary taxation of their lords; members of small townships which were struggling into freedom, and were hampered in their rise by the attempts of local abbots to hinder their trading; other small free-men, who had suffered from the powers of the nobility which had lately been so greatly increased and barbarously used,⁴ all came to lay their grievances before the king.

¹ Froissart, vol. i. p. 655.

² Knighton, p. 2634.

³ Hales, Domesday of St. Paul's, Intr. p. cxxv.

⁴ Rot. Parl. vol. iii. pp. 45, 62, 65, 81.

Rumours of their March to London.—Terrible rumours went before them, some of which have been embodied by Shakespeare in his account of the very different insurrection of Jack Cade.

It was said that the insurgents as they went along were killing all the lawyers and jurymen ; that every criminal who feared punishment for his offences had joined himself to them ; that masters of grammar schools had been compelled to forswear their profession, and that even the possession of an ink-horn was dangerous to its owner.¹

Most of the rumours were, no doubt, the mere inventions of the excited imaginations of the chroniclers or their informants.

The orderly conduct of the army of Tyler when it was first admitted into London, and the definiteness of the demands which formed the basis of the charter granted by Richard, make the atrocities and absurdities of these acts alike improbable. Isolated acts of violence there must no doubt have been, and I shall have occasion to allude to some of them; but these vague and general charges, made by the excited enemies of the insurgents, we may fairly reject.

¹ Walsingham, vol. i. p. 455, and vol. ii. p. 9.

The story of a general massacre of lawyers is specially untrustworthy, for the following reasons: first, in the struggle with their lords the bondsmen had been continually appealing to forms of law, and to such legal records as Domesday Book: secondly, the greater law courts had been in the main on the side of freedom, especially in the matter of the interpretation of the Statute of Labourers: lastly, the account given by the chronicler is just of the kind which would be developed at such a time out of a few local instances of vengeance, caused by the corruption of some of the local courts, and these rumours would receive additional plausibility from the subsequent attack on the Temple.¹

Nor in the main did the insurgents neglect the wise advice of Ball 'to shape themselves to one head.'

Influence of Tyler.—John Wraw, a clergyman,² who led the insurgents in Suffolk, professed, at all events, to be chosen for his post by Tyler,³

¹ This attack on 'Temple Barre' is quoted as a proof of the hatred felt to lawyers by the insurgents in Harl. MSS. 419, fol. 52, No. 69, though it was, as I shall show below, due to quite different causes. ² Rot. Parl. vol. iii. p. 112.

³ Walsingham, Hist. Ang. vol. ii. p. 2.

and Gryndecobbe, who led the insurgents at St. Alban's, eagerly called Tyler to his help in enforcing his claims against the abbot.

The forces had now increased to an alarming size ; and their great desire next to a meeting with the king was to excite the sympathy of the Londoners. According to one account, indeed, they thought it necessary to use threats as well as persuasion, and to cut off the ships which were bringing food and other wares into London, in order to starve the Londoners into submission.¹

This story, however, may be merely an exaggeration of those hindrances to traffic which would naturally arise from the march of so large an army to London.

The First Halt.—The first great halting-place of this army was on Blackheath, whither the king thought it well to send messengers to inquire into their complaints. The insurgents thereupon demanded a conference with the king.²

Treatment of the Insurgents by the King and his Advisers.—Now, however, the mingled timidity and insolence of the king's advisers hurried on

¹ Ann. de Dunst., Ann Monast., vol. iii. p. 416.

² Walsingham, vol. i. p. 56.

the crisis. Walworth the mayor, and the richer citizens, closed the gates of the town against Tyler; and Simon de Sudbury the chancellor, and Robert Hales the treasurer, advised the king not to go out to the 'shoeless ruffians.' These two officers had been appointed in the preceding year; and while both of them were therefore connected with the calling of the parliament at Northampton and the levy of the poll tax, Simon de Sudbury was doubly hateful for his imprisonment of John Ball; so the insurgents vowed vengeance on them for their advice to the king. But a slight concession was made by the king in spite of these advisers, which from the folly of those who surrounded him only tended to increase the bitterness of the petitioners.

Sir John Newton, who had been sent by the insurgents to ask the king for leave to speak with him, had been dismissed with a promise that the king would come down the Thames to meet them. Accordingly, attended by the Earls of Salisbury, Warwick, and Suffolk, and other knights, Richard rowed down the Thames towards Rotherhithe, where were upwards of ten thousand men who had come from Blackheath to see the

king and to speak with him. "When the king and his lords saw this crowd of people, and the wildness of their manner, there was not one among them so bold and determined but felt alarmed. The king was advised by his barons not to land, but to have his barge rowed up and down the river. "What do ye wish for," demanded the king; "I am come hither to hear what ye have come to say." Those near him cried out with one voice, "We wish thee to land, when we will remonstrate with thee, and tell thee more at our ease what our wants are." The Earl of Salisbury then replied for the king, and said, "Gentlemen, you are not properly dressed, nor in a fit condition for the king to talk with you." Nothing more was said, for the king was desired to return to the Tower of London, from whence he had set out.¹

Perhaps nothing could better convey an impression of the feelings between the nobility and the Commons than this incident. The Earl of Salisbury, we are informed by Froissart,² was one who thought it desirable to conciliate the insurgents 'by fair words,' and the words quoted above

¹ Froissart, as above, pp. 657, 658.

² Ibid. p. 659.

were the ones which he chose to address to men smarting from insults to their wives and daughters, and embittered by more than thirty years of struggle for independence. Fierce with indignation at this rebuff the insurgents returned to Blackheath, and it was there that John Ball appears to have addressed to them his sermon on that curious text—

‘Whan Adam dalf and Eve span,
Wo was thanne a gentilman?’¹

Ball's Sermon.—The drift of the sermon, then, was a discourse on the natural equality of man, and an exhortation to be bold in maintaining the demands which should recover this equality.

Entry of the Insurgents into London.—Encouraged then by Tyler and Ball, the insurgents marched to Southwark and encamped there. In vain the mayor and aldermen attempted to keep the city gates shut ; for the poorer classes of

¹ Walsingham, Hist. Ang. vol. ii. p. 32. The matter of this sermon is differently given by Walsingham and Froissart ; but we may fairly assume that the matter of the first part as given by Walsingham is more near the mark than Froissart's, though the advice to appeal to the king, which is mentioned as the climax of the latter, seems more in keeping with the previous discourses of Ball, and the general conduct of his followers, than the truculent counsels attributed to him by Walsingham.

the Londoners rose, and insisted on admitting a section of the insurgents.¹

The order maintained by the leaders of the insurgents was so great that no plunder was permitted, and those who attempted to steal were summarily executed.²

Feeling of the Insurgents to John of Gaunt.—It was impossible, however, to restrain altogether the mob of London from violence, and their rage was at first directed against the one man who was then the most widely hated by the Commons throughout the country. John of Gaunt, the Duke of Lancaster, whom the prejudice of Protestants, and the genius of Shakespeare, have done their best to turn into an enlightened reformer, was seen by the men of his own generation in a very different light. The time of his greatest power had been marked by the rule of fraud and immorality in high places, by interference with law courts, and defiance of parliament; he had been driven from power, amid the execration of the Commons, by the Good Parliament of 1376, and when he had returned to office on the death of his brother, the Black Prince, he had used his position to violate the liberty of

¹ Walsingham, Hist. Ang. vol. i. p. 456.

² Ibid.

parliament by an arrest of the speaker, and to outrage the protection of the sanctuary by violence and murder.¹

The Riots in London and their Effects.—The Londoners, therefore, unable to reach the duke himself, burnt his chief palace, the Savoy. Yet even while destroying it, they made proclamation that no one should venture to steal anything from it for his own use, under pain of death ; and when one of the rioters attempted to break this rule, his companions put him to death, exclaiming that they were ‘zealots for truth and justice, not thieves and robbers.’²

This riot seems to have been carried out by a party of the Londoners who were stationed between the Strand and the Tower; for the insurgents had now been divided into three bodies. The larger part of them probably still remained on the Surrey side of the river; a second division were stationed at Mile End; and, lastly, there was the contingent near the Tower, of whom I have already spoken.³

¹ In Chapter II. I go more into detail in these matters.

² Knighton, p. 2635. See also Walsingham, Hist. Ang. vol. i. p. 457.

³ Walsingham, as above, p. 458.

This last division so terrified the king and the nobles that they remained hiding in the Tower and not daring to come forth. One of their special causes of alarm was the noise made by the insurgents ; ‘for at times,’ says Froissart, ‘these rebellious fellows hooted as loud as if the devils were in them.’¹

The extent of this panic may be gathered from the following description :—‘There were at this time in the Tower itself six hundred warlike men instructed in arms, brave men, and most experienced, and six hundred archers; who all had so lost heart that you would have thought them more like dead men than living; for all the recollection of their former feats of arms had died in them; the memory of their former vigour and glory was extinguished, and in short, all the military audacity of almost the whole of Loegria had faded before the face of the rustics.’²

Nor was the panic less among the leaders of the soldiers. The nobles were afraid to give any order, and the most heroic suggestion was that made by Sir William Walworth the mayor, that they should

¹ Froissart, vol. i. p. 658.

² Walsingham, Hist. Ang. vol. i. pp. 458, 459.

wait till the night 'to fall upon these wretches, who were in the streets, and amounted to sixty thousand, while they were asleep and drunk ; for then they might be killed like flies, and not one in twenty among them had arms.'¹

But even this suggestion (so characteristic of an age of chivalry) was not followed, and the detachment of Londoners of whom I have been speaking, next turned their indignation against those whom they considered the chief causes of their misery, Sir Robert Hales the treasurer, and Archbishop Sudbury the chancellor.

Sir Robert Hales was the master of the Hospitallers, or Knights of St. John, and when the lands and offices plundered from the Templars had been handed over to the Hospitallers, in the reign of Edward II., the Temple itself, which seems about that time to have been passing from its military and religious into its legal position, fell under the rule of the master of the Hospitallers.

The first attack, therefore, was made by the insurgents on the Temple, and much of it was burnt.²

But the hatred which the treasurer had excited

¹ Froissart, as above, p. 658.

² Walsingham, Hist. Ang. vol. i. p. 457.

could not be appeased by the mere destruction of buildings. Both he and the Archbishop of Canterbury were in the Tower, and their advice to the king not to speak to the insurgents had increased the hatred already felt towards them for their sanction of the cruel poll tax ; the Essex men, too, found another cause of hatred against the archbishop, in his imprisonment of Ball.

. *Executions by the Insurgents.*—The insurgents, therefore, continued to press hard upon the Tower, and to demand the surrender of the archbishop and the treasurer. Whether they finally succeeded in securing their prisoners by main force, or whether the king himself dismissed Hales and Sudbury from the Tower seems uncertain ;¹ but there is no doubt as to the summary execution of the archbishop and the treasurer by the triumphant insurgents.

These victims of the insurrection had possibly deserved a better fate ; but from the little we know of them, we may fairly conclude that they were certainly unwise men, presumably unjust, and most likely cruel.

But whatever regret may have been felt for their

¹ Compare Walsingham's account with that in the Dunstable Annals, Ann. Monast., vol. iii. p. 416.

fate, none we suppose could be granted to the next sufferers in the insurrection. John Leg, and the two ruffians who had accompanied him in his career of profligacy and oppression, met on that day the fate which they at any rate had most richly deserved.

With them died a man whose career had been only too characteristic of the times. Richard Lyons, a London merchant, had risen into favour at the Court of Edward III., at the time when John of Gaunt was in power.

During that time he seems to have used his position to procure by fraud a monopoly in the sale of wool, and to embezzle money and jewels belonging to the king. Along with John of Gaunt, Latimer, and Alice Perers, he had been denounced by the Good Parliament of 1376, and condemned to fine and imprisonment; but by bribing his judges he had escaped the infliction of his full penalty, and when John of Gaunt returned to power, Lyons seems to have been restored to comfort, if not to his former position. Him the insurgents now found and executed with Leg and his allies.¹ A

¹ Compare Ad. Mur. Contin. p. 218, with Rot. Parl. vol. ii. pp. 323, 324, and Knighton p. 2636. Wallon, in his Hist. of Richard II. p. 68, departs in this instance from his generally fair

Franciscan friar who was believed to be a friend of John of Gaunt was put to death at the same time.¹

The King's Arrangements with the Men of Essex.—Excited by these executions, the more disorderly of the citizens began to break forth into wild acts of violence, which at last roused the king to a sense that something must be done. He therefore resolved on attempting to divide the forces of his opponents, and leaving the Tower he betook himself to that part of Mile End where the men of Essex were stationed.

Some, indeed, of the Essex contingent had mingled with the Londoners and assisted in the execution of Simon de Sudbury;² but the main body seem to have been standing apart from the bulk of the insurgents and receiving recruits from St. Alban's and Barnet.³ Some of these recruits had been sent by the Abbot of St. Alban's to check, if possible, the movements of the insurgents; but the majority were supporters of Tyler, and

and candid account of this insurrection. Ignoring the authorities quoted above, he gives a silly story of Froissart's, which attributes the death of Lyons simply to the personal resentment of Tyler for an affront given many years before in France.

¹ Walsingham, Hist. Ang. vol. i. p. 462.

² Ibid. vol. ii. p. 1.

³ Ibid. vol. i. p. 458.



opposed to the rule of the abbot. They, like the other insurgents, were smarting under the recollection of the poll tax, and happening to pass a villa of Sir Robert Hales on their road to London, they attacked and burnt it. But Jack Straw, who commanded the Essex division of the insurgents, succeeded in reducing them to order on their arrival at Mile End, and exacted from them an oath to be faithful to King Richard and the Commons.¹

The Essex men, however, though thus strengthened in numbers were not sorry to listen to the proposals of the king, who readily promised them charters of peace.² What exactly was implied in this offer, or in what words it was made, it may be hard to conclude with certainty; but that it conveyed to the minds of the men of Essex a promise to free them from bondage one may infer from their subsequent appeal to the king; and from admissions in his proclamation we may conclude that Richard intended his promise to convey that meaning. Thus, then, would come to an end the galling restraints which hindered the disposal by the peasants of their daughters in mar-

¹ Walsingham, as above.

² Ibid. p. 462.

riage ;¹ the uncertain taxation to which they were continually liable from their lords ; the prohibition of their right of appeal to a higher court ; and possibly also the uncertainty of their position as tenants at will.²

Tyler insists on further Security.—But whatever promises³ were made to the men of Essex, they did not wait to see them secured ; Tyler, whose wisdom and ability as a leader was afterwards recognized even by the more sensible of his enemies,⁴ felt that sufficient security had not been given for the promises already made, and that greater liberty should have been demanded. The uncertainty of rent, not only in the case of the villein but of the poorer freemen, was one of the grievances of the men who followed Tyler, and Richard consented

¹ Hales, *Domesday of St. Paul's*, cxxv., and Rogers, *Hist. of Prices*, pp. 76, 77.

² *Year Books of Edwd. I.* vol. ii. p. 454.

³ Walsingham's expressions (vol. i. p. 462) seem to imply that the king's promises were much vaguer than this ; but from what he says in vol. ii. p. 18, some wider promise must have been made. Knighton's account (p. 2635) seems to imply more nearly what I have said, and this seems to be borne out by the subsequent account given by Richard himself, to which I shall have occasion to allude again.

⁴ Walsingham describes him as 'Vir versutus et magno sensu præditus.' (*Hist. Ang.* vol. i. p. 463.)

that no rents should be raised above a certain limit.¹

Whatever we may think of this particular concession, few will dispute the justice of the next chief demand which was granted by Richard.

I have already mentioned that the abbots of several monasteries were trying to hinder their serfs from struggling into the position of independent townsmen, and they were especially accustomed to throw obstacles in the way of their freedom of trade. The rich merchants, too, who governed the great towns, were particularly jealous of the claims to this right of free trade which was made by the poorer citizens who came into the towns to escape from serfdom. Lastly, these same rulers of the towns were apt to hinder by the levies of tolls and taxes the entrance into their markets of the people of the surrounding districts. At all these three forms of monopoly, then, Richard struck, by the charter which he granted to the followers of Tyler, that they should be 'free to buy and sell in all cities, burghs, mercantile towns and other places within our kingdom of England.'²

So much Richard, by his own confession, granted

¹ Rymer, *Fœdera*, vol. vii. p. 317.

² Ibid.

to the insurgents.¹ But there were other questions which have been causes of bitterness down to our own day. The claim on common lands, and the right to treat wild animals in a different manner from tame ones were among these; though this latter question was more often discussed in those days with reference to the inclosure of ponds and rivers for fishing than with reference to the shooting of game.

Tyler then seems to have demanded that all warrens in parks and woods should be common; and that the right of fishing and shooting should be also granted to all.²

Discussions naturally arose on all these points, and at last it was determined that Tyler should have a personal conference with the king. Sir John Newton, who had formerly been compelled by the insurgents to go as their messenger to the king, was despatched to Tyler to summon him to the royal presence.³

Death of Tyler.—Tyler and the king met in Smithfield for this discussion. Whilst, however,

¹ Rymer, *Fœdera*, vol. vii. p. 317.

² Knighton, p. 2637 (as above).

³ See esp. Walsingham, *Hist. Ang.* vol. i. p. 463.

Tyler was talking to the king, Sir John Newton drew near on horseback. Tyler had supposed that he was to confer alone with Richard, and was naturally alarmed at this sudden intrusion; he therefore insisted that Newton should descend from his horse. Newton refused; and Tyler, charging him with treachery, prepared to defend himself with his dagger. The knight drew his sword and snatched the dagger from Tyler's hand, but the king interposed and attempted to mitigate the quarrel. In the mean time the Mayor of London and many soldiers of the king, seeing the quarrel, drew near. Thereupon the king suddenly ordered the mayor to arrest Tyler. The mayor at once struck Tyler a blow which made him reel back, and the other officers rushing up, surrounded and killed him before he could recover himself.¹ So died Wat Tyler, who had organized and led the most formidable democratic movement which had ever been known in England at that time.

Till his time the outbursts of discontent had been local and disconnected; the special grievances under which the Commons had laboured had never before been strictly formulated; still less

¹ See esp. Walsingham, Hist. Ang. vol. i. pp. 464, 465.

had any general and direct appeal for redress been made to the king.

His Work and Influence.—Had Tyler's designs been, as his enemies said, the general destruction of the nobility and lawyers, he would certainly have had plenty of opportunity for carrying this into execution while all the military force of the kingdom was, as the chroniclers admit, paralyzed. But instead of this he marched to London without, so far as is clear, any further violence than was necessary to rescue the bondsman from Rochester and Ball from Maidstone; restrained his suddenly organized band of followers from robbery and disorder, and though he could not prevent the mob of London from breaking out into acts of violence in which possibly some of his followers may subsequently have joined, nor hinder all those acts of private vengeance for which some men naturally seized that opportunity,¹ including at least one act of brutal ruffianism (an insult to the mother of the king),² yet wherever we detect his personal influence it seems to have been exercised on the side of discipline.³

¹ See esp. Walsingham, Hist. Ang. vol. i. p. 462. ² Ibid. p. 459.

³ Compare esp. ibid. p. 456 and p. 463, in which all the utterances and orders attributed to the leaders of the movement, and

Besides, it must be remembered that had the interview which Tyler demanded, and which the king finally conceded, been granted by Richard on the first day of Tyler's entrance into London, none of the violences which were committed would have taken place.¹

Effect of his Death.—The curious influence which Tyler's name exercised both over his friends and enemies was proved by the effect of his death.

'As he fell from his horse to the earth,' says Walsingham, 'he first gave hope to the English soldiery, who had been half dead, that the Commons could be resisted.'²

The Mayor of London seems at once to have to Tyler especially, are in favour of a peaceful settlement, while Walsingham gives no further reason for suspecting him of violent intentions than his own theory as to what was passing in Tyler's mind. As to the violence attributed to the Kentish men in this particular passage, one must remember that all *general* statements about violences in this movement must be looked upon with great suspicion, especially as after they had once entered the town it would be difficult to distinguish their acts from those of the Londoners.

¹ As for the wild utterances against the laws and lawyers attributed to Tyler by Walsingham (vol. i. p. 464), they are inconsistent with the good sense which Walsingham himself admits as characteristic of Tyler, out of keeping with the other demands made, and unlikely for the same reasons which I gave above, when considering the general charges of this nature against the insurgents.

² Walsingham, Hist. Ang. vol. i. p. 465.

ridden off for help to the city; while the king advanced to the followers of Tyler, who were hesitating what they should do next. Their first impulse was to avenge the death of their leader; but they had never up to this time shown any hostility to the king personally, and they had even taken an oath to be faithful to the king and the Commons. When, then, the king put himself at their head, and ordered them to follow him into the open field as their king and captain, they readily obeyed him. In the mean time the mayor had raised large forces of soldiers in the city, who when they came up, desired to revenge the shame of their former panic on the unarmed crowd.

The king, however, knew that the danger was not yet over, and he therefore granted a charter of manumission to the serfs, and a promise of pardon to those who had taken part in the insurrection;¹ and as soon as they had received this charter the Kentish men returned home.

In the mean time various local insurrections had been proceeding in different parts of the country.

Local Insurrections.—In the insurrection at Norwich, the insurgents had attempted to place the

¹ Walsingham, Hist. Ang. vol. i. p. 467.

Earl of Suffolk at their head,¹ and had succeeded in compelling some other gentry to join with them. The Bishop of Norwich, however, came to the rescue of the authorities and defeated the insurgents.

In the rising at Dunstable, the demands of the villeins were to some extent uncertain, because the townsmen of Dunstable, who led the movement, would not admit the men of the neighbouring towns to the privileges of Dunstable itself. The terms of the charter, however, were at last resolved on and granted even there.²

In Suffolk, from some special causes, several lawyers were marked for popular vengeance, and the struggle between the municipal and monastic authorities raged with especial fierceness in St. Edmundsbury. The first to fall in the struggle were Sir John Cavendish, the Chief Justice of England, and the Prior of St. Edmundsbury; the latter of whom was so famous for his musical talent that he is said to have equalled Orpheus of Thrace, Nero of Rome, and Belgabred of Britain.

These men, however, were killed, not by the

¹ See esp. Walsingham, Hist. Ang. vol. ii. p. 1.

² Ann. de Dunst., Ann. Monast., vol. iii. p. 418.

townsmen of Bury but by their own personal serfs (nativi), and their death is chiefly remarkable on account of its being accompanied by the circumstances which Shakespeare afterwards introduced into his story of Cade's insurrection. The serfs of Cavendish and the prior marched into Bury carrying the heads of their masters on poles, and bending the poles towards each other at intervals as if to make the heads kiss. Excited apparently by this scene the townsmen of Bury seized the opportunity to renew their old demands for freedom from the service of the abbey, while at the same time they stipulated that a popular abbot, Edmund Brounfeld, who had recently been deposed and imprisoned, should be restored to his former dignity. The monks yielded on both points; the charters by which the services of the townsmen were secured were surrendered, and the jewels of the monastery were intrusted to the townsmen as a pledge of the restoration of Brounfeld.¹

The Struggle at St. Alban's.—But the bitterest of the local struggles, and the one which attracted most attention from outsiders, was that which took

¹ Walsingham, Hist. Ang. vol. ii. p. 2.

place at St. Alban's. The contest between the monks and the serfs had here been greatly embittered by the belief, which seems to have been a well-grounded one, that the abbot had stolen from them a great many of the liberties which they had formerly held; that he was keeping back charters which had been granted them; that he had enclosed common lands and waters for his own hunting and fishing;¹ and that he had kept back money intended for the poor, and wages due to his servants.²

Gryndecobbe.—A man named William Gryndecobbe, who had been brought up in the monastery, suggested to the villeins an appeal first to the king and then to Wat Tyler. From the king he received promises, from Tyler more substantial help; for the latter sent down a peremptory order to the abbot to yield to Gryndecobbe, under pain of death.³

Whilst the abbot, apparently, was still hesitating, the news came from London of the death of the Archbishop of Canterbury. Gryndecobbe

¹ Walsingham, Hist. Ang. vol. i. p. 468.

² Ibid. p. 469.

³ Ibid. pp. 468, 469.

thereupon summoned all the villeins of St. Alban's to meet at Falcon Wood, and having thus collected a large number of followers, he forced open the abbot's private prison, and delivered his prisoners. In the mean time a certain Richard de Wallingford, who had been sent to London on behalf of the men of St. Alban's, returned with a letter from the king, ordering the abbot to surrender the charters which he had kept back from the townsmen. The abbot, who had at first determined to die for what he called the liberty of the monastery, now decided to yield, and to give up the charters which Henry III. had granted to the burgesses of St. Alban's. He tried, however, still to keep back one charter under the pretence that it could not be found. The personal serfs of the abbot joined with the townsmen of St. Alban's, and the struggle was still at its height when the news arrived of the death of Wat Tyler. The townsmen did not, however, cease from their demands; the abbot was persuaded by messengers from the king to yield, and the king himself sent down charters of manumission to the men of St. Alban's like those which he had sent to the men of Essex.

The insurgents being now temporarily appeased, the question which next occurred to Richard was, what was the best means of breaking the promises which he had made ?

How Richard's Promises were kept.—Collecting from all parts the soldiers who had been paralyzed by the insurrection, Richard marched out to Black-heath ; and having given this exhibition of his strength, sent down justiciaries to try the recent insurgents, under the excuse of a rumour that the insurrection was beginning again.¹

The men of Essex, alarmed at this demonstration, and probably repenting of their too hasty confidence in the king's word, sent to ask for a confirmation from Richard of his former promises, and for freedom from the responsibility to the law courts of their local lords, without which liberty, indeed, the others could hardly be secured. The king, according to Walsingham, gave the following answer to this petition : ' Oh, miserable men, hateful both to land and sea, unworthy even to live, you ask to be put on an equality with your lords. You should certainly have been punished with the vilest death, if we had not

¹ Walsingham, Hist. Ang. vol. ii. p. 14.

determined to observe the things which had been decreed towards your messengers. But because you have come in the character of messengers you shall not die at once, but shall enjoy your life that you may truly announce our answer to your fellows. Bring then this answer to your colleagues on the part of the king, "Serfs you have been and are; you shall remain in bondage, not such as you have hitherto been subjected to, but incomparably viler. For so long as we live and rule by God's grace over this kingdom we shall use our sense, our strength, and our property so to treat you, that your slavery may be an example to posterity, and that those who live now and hereafter, who may be like you, may always have before their eyes, and as it were in a glass, your misery and reasons for cursing you, and the fear of doing things like those which you have done." ¹

Having then dismissed the messengers with strict injunctions to report his words truly to their friends, the king proceeded to send an army into Essex.

The men of Essex, discovering too late the

¹ Walsingham, Hist. Ang. vol. ii. p. 18.

treachery of Richard or his advisers, attempted to gather in self-defence; but the soldiers came upon them unexpectedly, killed a great many, and put others in prison.

Sir Robert Tresilian, who was afterwards executed for treason, was sent down to Essex as justiciary, and there tried and executed a large number of men who had been concerned in the previous insurrection.

When, however, the king desired to carry out the same principle at St. Alban's, a knight named Sir Walter Lee offered to undertake the settlement of terms between the abbot and his villeins.¹

Gryndecobbe persuaded his fellow-townsmen to admit the knight, who on his entry summoned a jury to try those who were accused of sedition; the jury refused to find a verdict against them, and Sir Walter next attempted to persuade the townsmen to surrender the charters which the abbot had given up to them. Finding they did not yield, the knight next ordered that Gryndecobbe and the other leaders should be arrested. This was done, and immediately the townsmen again rose against the abbey. To appease them for a time, Grynde-

¹ Walsingham, Hist. Ang. vol. ii. pp. 22, 23.

cobbe was released on bail ; but they were told that he would be put to death unless they surrendered their charters. This seems to have made them hesitate for a moment ; but Gryndecobbe, with a spirit worthy of Regulus, exclaimed ‘Fellow-citizens, whom now a scanty liberty has relieved from long oppression, stand while you can stand, and fear nothing for my punishment, since I would die in the cause of the liberty we have acquired, if it is now my fate to die, thinking myself happy to be able to finish my life by such a martyrdom. Act now as you ought to have done if I had been executed yesterday at Hertford ; for nothing would have prevented my death if the abbot had not recalled his soldiers too soon. They had indeed brought many charges against me, and they had a judge favourable to them, and eager for my blood.’

Death of Gryndecobbe.—He then returned to prison, and soon after Sir Robert Tresilian arrived at St. Alban’s, and after a good deal of intimidation of the juries, compelled them to convict Gryndecobbe and others, who were soon after executed.

Death of Ball.—A more notable victim even

than Gryndecobbe suffered under the same judge. This was John Ball, who seems to have gone, either after or shortly before the death of Tyler, to Coventry. There he was seized, and brought from thence to St. Alban's. The letters which he had written to the Commons of Essex were produced, and he admitted having written them; but, though this seems to have been held sufficient to secure his condemnation, the Bishop of London succeeded in getting his execution deferred in order to try to convert him from his heresies. This benevolent intention however failed, and Ball was hung, drawn, and quartered.

Richard's Appeal to the Parliament.—Richard, however, although he had shown by his answer to the men of Essex the value which was to be attached to his promises, had yet sufficient shame to desire a further excuse for his breach of word. The House of Commons was at this time composed, to a great extent, of the rich men who owned serfs; at any rate, of men capable of employing the workmen, and favourable to the repressive statutes. Richard therefore summoned parliament, and laid the matter before the Commons. He pointed out that he had enfranchised

these serfs to put a stop to their clamour and malice; but that since then his Council had advised him that this concession was dangerous to the kingdom. He, therefore, in an unusual burst of constitutional feeling, desired to submit the question entirely to parliament; promising to confirm the emancipations if the Commons desired it; ‘as it is reported to the king, that some of you do desire.’¹

Their Answer.—The answer of the parliament was, as Richard expected, quite unanimous. Such manumissions, they said, should never have been given without the assent of those who were principally interested in the emancipated serfs; the manumissions were made in disinheritance of them the owners, and to the destruction of the kingdom; and they would rather die than consent to them.²

The reaction was finally completed in 1387, when the rulers of the City of London passed a resolution confirming the exclusion of non-free-men from the liberties of the city.³

What then, it may be asked, had Tyler and Ball won by their insurrection?

¹ Rot. Parl. vol. iii. p. 99.

² Ibid. p. 100.

³ *Munimenta Guildhallæ*, vol. i. p. 452.

Effects of the Insurrection (1) on the Position of the Villeins.—I think principally three things. First of all, they had taught the serfs and the workmen to stand together, and depend upon themselves. They had implanted a tradition of freedom and self-respect in the most depressed classes of the kingdom, which was remembered afterwards when, in 1424, the villeins rose again against the Monastery of St. Alban's, and demanded the liberties which had been won in the reign of Richard II.¹ This rising is of itself some evidence of the effect produced, even though there were nothing else. But Professor Rogers has come to the conclusion, from a very careful study of the facts, that after the insurrection of Tyler, the position certainly of the smaller freeholders, and probably of the villeins, steadily improved;² and that, though nominally refused, the demands of the villeins were silently but effectually accorded.

(2.) *On Constitutional Freedom.*—But, secondly, an impulse was given to the movement, so necessary at that time, by which parliament was endeavouring to check the illegal power of the favourites, and

¹ Amundesham, Chron. S. Albani, vol. i. p. 61.

² Rogers, Hist. of Prices, vol. i. p. 8.

especially of the tax collectors of the king. The very same parliament which had so indignantly refused to confirm the emancipation of the serfs was perfectly ready to make use of Tyler's insurrection for its own purposes. The insurgents were, of course, atrocious ruffians, their demands unreasonable and dangerous; but still the riots did show a feeling of discontent in the kingdom, which was due to causes which might be remedied. The tyrannies of the officials of the king had, as the Commons remarked with great truth, been the direct cause of the insurrection, and these tyrannies were felt, though in a less degree, by the class of men who sat in parliament.

The king, therefore, was urged to grant an inquiry into this matter,¹ and this success of the parliament was followed up soon after by further limitations on the king's power.

(3.) *On the Reformation.*—But the greatest result of this insurrection still remains to be mentioned. I have already said that if Tyler was the head of the insurrection, Ball was its heart; and it is his effect on the movement which I think most important in its immediate results. In the same year

¹ Rot. Parl. vol. iii. pp. 100, 101.

when this insurrection occurred, Wyclif brought out his book against transubstantiation. The University of Oxford, already warned by the pope, examined the book, and condemned it as heretical. Wyclif appealed against the decision to John of Gaunt, and the duke confirmed the sentence of the University.¹

There can be but one explanation of this change of policy on the part of the Duke of Lancaster. Wyclif had long before this defied openly the Church of Rome; he had denied the power of the pope, not merely to set up or pull down kings, but to decide who was, or was not, in the communion of the Church. He had practically denied the special miraculous powers of the priesthood, and he had been recognized and condemned as a heretic by the pope. It is absurd to suppose, then, that the duke, who after such proofs of heresy had defended Wyclif against popes and bishops, would now throw him over because of a difference with the same authorities about subtle theological distinctions. A much more obvious reason was to be found in the preaching of Ball, and its connection with the insurrection of Tyler.

¹ Shirley, Introduction of *Fasciculi Zizaniorum*, p. xlivi.

However much, and however justly, Wyclif might deny any personal share in stirring up the insurrection ; however forcibly he might retort upon the mendicant friars that their plundering of the poor, and their immoral lives, had been far more truly the causes of the outbreak,¹ still the preaching of Wyclif's doctrines by Ball could not be denied, and still less could the hatred felt by the insurgents for John of Gaunt.

It had now become clear that the doctrines of Wyclif and his followers were as dangerous to secular tyranny as to ecclesiastical, and that a nobleman who interfered with the liberty of parliaments, violated sanctuaries, and encouraged corruption at Court, was no patron for the reformers of the Church.

Wyclif himself, unwisely and rashly as he had accepted John of Gaunt's partizanship, was yet far too conscious of the mission which was entrusted to him to submit to be silenced by his aristocratic patron, and he defied him as boldly as he had previously defied the pope.²

Thus, then, the Lollard party had burst the

¹ *Fasciculi Zizaniorum*, pp. 292—295.

² Shirley (as above).

bonds which threatened to maim them. Henceforth they must look for their friends no longer among intriguing nobles desirous to shame the clergy, and exalt their own power ; but among the poor and oppressed of the nation. If bishops and friars attacked them, they must expect to die at the stake, or to suffer fine and imprisonment for their faith ; that so, leaving nobles and clergy to wrangle for power, they might carry out the work appointed for them, to ‘preach deliverance to the captives, and recovery of sight to the blind ; to set at liberty them that were bruised, to preach the acceptable year of the Lord.’

SIR JOHN OLDCASTLE.

CHAPTER I.

LOLLARDRY FROM BALL TO OLDCASTLE: 1382—1410.

THE early history of Lollardry is no doubt to some extent obscured by the partisanship of the monks and friars, and by the comparative political insignificance of the early leaders of the reforming party. Yet we can detect many hints which show clearly the chief characteristics of the movement, and the tone of feeling which prevailed among its most prominent champions.

Lollardry at Oxford.—Whatever alarm the condemnation of Wyclif may have produced in other parts of England, in Oxford, at all events, it seems to have provoked the warmest sympathy with the condemned reformer. Graduates preached rebellion and undergraduates flocked to hear them;

and when the time came for a new election of a chancellor, Robert Rygge, a man of scarcely concealed Lollard sympathies, was elected.

Foremost among the Oxford Lollards were two preachers named Nicholas Herford and Philip Repyngdon. Herford was suspected of having been a personal friend of Ball's, and expressed open approval of the murder of Simon de Sudbury.¹ Repyngdon was even accused of counselling a new rebellion.² Both of them proclaimed themselves followers of Wyclif.

The Archbishop of Canterbury, in great indignation, despatched a Carmelite friar named Peter Stokes, with letters to the Chancellor of Oxford ordering him to suppress heresy.

But Robert Rygge, the new chancellor, was determined to reverse the policy of his predecessor. He consented, indeed, after some delay, to publish the letters of the archbishop, if the University would consent,³ but took little trouble to obtain that consent. In the mean time Stokes challenged Repyngdon to a discussion in the schools. But when the time for the discussion came Repyng-

¹ *Fasciculi Zizaniorum*, p. 296.

² *Ibid.* p. 299.

³ *Ibid.* p. 300.

don's friends appeared in arms in the schools, and Stokes was afraid to continue his arguments.¹ The chancellor appointed Herford and Repyngdon to preach before the University, and the Lollards mocked at Stokes for the contrast between his red face and his white Carmelite dress.²

So far did the chancellor carry his opposition, and so thoroughly was he supported by the public opinion of the University, that he even ventured to suspend a preacher named Henry Crump³ from his office, for denunciations of the Lollards. This last step roused the king to interference.⁴ He indignantly ordered the restoration of Crump, and the suppression of heresy in Oxford.

But many of the Lollards had not yet realized the desertion of their cause by their former patron, the Duke of Lancaster, and Herford and Repyngdon attempted to put themselves under his protection. The duke, however, disowned them as completely as he had Wyclif; and, afraid to resist the powerful influences brought against them, Wyclif, Herford, Repyngdon, and other Lollards

¹ *Fasciculi Zizaniorum*, p. 302.

² Wright's Political Songs, from Edward II. to Henry VII. p. 261.

³ *Fasciculi Zizaniorum*, p. 312.

⁴ *Ibid.*

consented to appear at Westminster before the Archbishop of Canterbury.

The Council of the Earthquake: 1382.—William Courtney, the archbishop, was the man on whose behalf, when Bishop of London, the Londoners had risen against John of Gaunt, and he seems to have been specially noted for his oppressions to his tenants at Saltwood. He was therefore naturally marked out as the opponent of Wyclif. He had chosen for condemnation twenty-four conclusions of Wyclif's, some of them relating to the papal authority; some of them to the nature of the sacrament of the Lord's Supper. But the opportunity given by Tyler's insurrection for denouncing the Lollard doctrines as dangerous to civil as well as ecclesiastical lordship, was not to be lost, and a proposition was extracted from Wyclif's writings, in which he denied the power of any lord, whether civil or ecclesiastical, while in mortal sin. Nor were the temporal lords the only power whom it was necessary to frighten into active opposition to the Lollards. The friars, whom previous archbishops had condemned as interfering with ecclesiastical order, and whom kings had denounced as sowers of rebellion, were

now needed by the bishops as allies, and the numerous denunciations of religious mendicancy, which filled Wyclif's sermons, were made the subject of some of the charges against him.¹

Rygge was first examined, and he and another divinity professor were condemned for the sanction which they had given to Herford and Repyngdon. Whatever severities Courtney may have wished to inflict on the chancellor, a more merciful view was taken by another judge.

This was William of Wykeham, the brave old Bishop of Winchester, who had bearded John of Gaunt in the height of his power, and had suffered from his vengeance, but who was now eager to intercede for the deserted Lollards. His opinion prevailed, and Rygge, after having made some kind of submission, was dismissed. Herford and Repyngdon were next brought forward.

Instead of asserting any right of private judgment, they declared their agreement with the decretals of the Church, the opinions of the learned men, and the Scriptures. It was felt, however, by the archbishop that it was necessary to insist on the higher position of the learned and the clergy,

¹ Wilkins, *Concilia*, vol. iii. p. 157.

and he was extremely indignant that Herford and Repyngdon refused to claim any higher power than that of ordinary laymen in determining the meaning of the decretals.

The next heretic brought before the archbishop was John Aston, who was suspected, like Herford, of having been an accomplice of John Ball.¹ The first incident in his examination calls attention to one of the most important forces in the Lollard movement. Aston was ordered to speak in Latin 'on account of the laity who were standing by ;' but he insisted on speaking in English, thus breaking down the most important of the barriers between the laity and the clergy. He, like Herford and Repyngdon, refused to claim any special insight into the mysteries of the sacrament, although his judges maintained 'that a clergyman who had graduated in the schools' ought to take up a more dignified position. When pressed further, Aston seems to have answered with a kind of rough banter, a sign probably rather of the weakness which subsequently led him to recant than of a real conviction of the strength of his cause. Herford and Repyngdon, too, with an incon-

¹ *Fasciculi Zizaniorum*, pp. 273, 274.

sistency fatal to their position, appealed to the pope against the decision of the archbishop—an appeal which the archbishop not unreasonably set aside as frivolous, though Herford is said to have subsequently followed it up by going himself to Rome.¹

Comparison between Wyclif and Luther.—But of whatever inconsistencies and weaknesses his followers were guilty, Wyclif at any rate stood firm. One cannot avoid at this point looking forward for a century and a half, and contrasting Wyclif's position at this Council with that of Luther at the Diet of Worms. The English reformer had no Georg von Frundsberg to clap him on the back and wish him God speed; no Ulrich von Hutten or Franz von Sickingen ready to raise their followers on his behalf; no Elector of Saxony prepared to carry him off into a safe retreat; above all, no eager citizens upon the housetops appealing to him as their friend and champion. He stood alone: alone against a united clergy furious at his attacks on their wealth and indolence; against the unworthy followers of St. Francis and St. Dominic, who hated him as the developer and the im-

¹ Knighton, p. 2657.

prover of principles which they had deserted ; against the nobility and the richer citizens who had learnt to associate his doctrines with attacks on their property and power ; against a king who was opposed to the Lollards, both as heretics and rebels.

Yet with his followers alternately flinching and blustering around him, he spoke out without hesitation or indistinctness.¹ His enemies, indeed, tried to make out a certain evasiveness in his explanations ; but were obliged to admit that he openly identified his cause with that of the condemned heretic Berengarius, and thereby distinctly disputed the authority of popes and councils. The Council thereupon proceeded to pass condemnation on Wyclif, but before the formal close of its proceedings it was broken up by an event which produced the greatest impression on contemporaries. The whole town was shaken by an earthquake. In the words of an eye-witness—

‘ Castels, walles, toures and stepples fyll,
Houses and trees and cragges fro the hyll.’²

¹ Wilkins, *Concilia*, vol. iii. p. 171.

² Hardyng’s Chron. pp. 339, 340.

While the effect on the minds of men at the time is testified to by another poet—

‘ For sooth this was a Lord to drede,
So sodeynly mad mon agast ;
Of gold and silver thei tok non hede,
But out of ther houses ful sone thei past.
Chambres, chymenys, al to burst,
Churches and stepples foule gon fare,
Pinacles stepples to grounde hit cast,
And al was for warnyng to beware.’¹

For whom this warning was intended was differently stated by the opposing parties ; but it was a long time before either forgot the ‘Council of the Earthquake.’

Although the Lollard movement at Oxford was no doubt injured first by the violence and afterwards by the desertion of men like Repyngdon, Herford, and Aston, it was not entirely ruined even there.

Lollardry in London.—But there was another part of England in which Lollardry was taking even deeper root than at Oxford, and in which it probably produced more lasting effect. This was the city of London, where the poorer classes were connecting more and more their protests against their own grievances with that resistance to the

¹ Wright’s Political Songs, from Edward II. to Henry VII. p. 251.

tyranny of the clergy which was more especially connected with Lollardry.

John of Northampton: 1382 to 1384—It was in the very year when the ‘Council of the Earthquake’ was held, that John of Northampton, or as he is sometimes called, John Combertone, began to use his authority as Mayor of London to enforce more rigid morality in the city, by claiming as mayor that power of judging of moral offences which the clergy had till then claimed as their exclusive right.¹

Other attempts seem to have been made by John of Northampton at the same time to reform the discipline of the Church, and his followers showed their Lollard sympathies by interfering with actual violence on behalf of John Aston. But there were other grievances more closely touching the city of London with which John of Northampton, both as Lollard and as champion of democracy, would have to deal. The merchants’ guilds were connected in the minds of the poorer Londoners with restrictions on the freedom of trade, with the consequent dearness of provisions, and with opposition to those municipal liberties for which the

¹ Walsingham, Hist. Ang. vol. ii. p. 65.

poorer Londoners had been struggling since the time of William Longbeard.

Wyclif on the Guilds. — To Wyclif the guilds were odious on a different ground. He had denounced the friars and monks for setting up rules and forming societies which narrowed the bonds of union by which all Christians ought to be united. In a similar spirit he denounced the limitations introduced by the guilds. Thus, in the following passage, after enumerating various kinds of tyrannies, Wyclif proceeds :—

‘Also all new fraternytes and gildis maad of men semen openly to renne in this curs. For thei conspiren many false errorrs ayenst the common fraternyte of Crist, that all Cristene men token in here Cristendom, and ayenst comyn charite and comyn properte of Cristene men. And herto thei conspiren to bere up eche other ye in wrong and oppresse othere men bi here witt and power. And alle the goodnes that is in thes gildes eche man owith for to do bi comyn fraternite of Cristendom bi Goddis commandement. And thei bringen in moche pride vanyte and wast cost, and triste in mennus help more than in Goddis; and thus they bringen in moche evyl and no good more than

God comannded first ; but thei letten moche unyte
pees and charite of Christene peple.'

He then proceeds to attack the special offences, first of religious guilds, and afterwards of the working guilds ; the latter containing some of those limitations which have been objected to in modern trade unions.

The merchants, to whom John of Northampton specially objected, Wyclif denounces in the following words :—

' Also it seemeth that marchauntis, groceris and vitleris runnen in same curs fully. For thei conspiren wickedly togidre that noon of them schal bie over a certain pris, though the thing that thei bien be moche more worthi, and thei knowen wel this ; and that none of them schal selle bettere chepe than another, though he may wele forth it so, and it be not so moche worth as another mannis chaffer. Thus he schal be ponyshed sore, if he do trewe and good conscience. Certis alle this peple conspirith cursedly ayenst treuthe, charite and comyn profit.'¹

Thus then, both on grounds of political justice and theological feeling, John of Northampton

¹ Arnold's ed. of Wyclif's English Works, vol. iii. p. 333.

proceeded to attack the fishmongers' guild, and at one stroke broke down the privilege by which this guild had retained the exclusive right of selling fish.¹

This attack was accompanied by some change in the council which governed London. Great irritation, therefore, was caused to the supporters of the guild ; they even attempted to give a popular colouring to their cause by maintaining that the cheapening of fish in London would make it dearer in the country.²

But John of Northampton did not base his opposition to this guild merely on the ground of their restriction of the rights of the poor. He followed up his attack by bringing before the royal Council direct charges of fraud against the guild.³ And John Philipot, one of the most vigorous and enterprising of the London aldermen, was driven from power and excluded from the council of the city.

In 1384, however, a mayor of a very different character seems to have forced himself on the electors of the city of London. This was Sir

¹ Walsingham, Hist. Ang. vol. ii. p. 66.

² Ibid.

³ Ibid. p. 71.

Nicholas Brembre, who was afterwards executed by the nobles for his tyrannies and treasons. According to his opponents he obtained his election by force of arms,¹ and in opposition to many of the trades ; and he is accused of having intended to secure absolute power to himself over the city of London, and to change the name to Little Troy.²

John of Northampton led the opposition to this mayor, and his party determined to propose a shoemaker as mayor in the place of Brembre. Brembre, of course, raised against them the charge of sedition. Riots followed ; the shoemaker was seized and executed, and John of Northampton was condemned to perpetual imprisonment.

These two movements, then, which had their head quarters in Oxford and London respectively, bring before us the clearest and most consecutive parts of the history of Lollardry.

Causes of these Movements.—The Oxford movement was no doubt stirred up to a great extent by that love of academical independence which has always distinguished the universities, and

¹ Rot. Parl. vol. iii. p. 225.

² Walsingham, Hist. Ang. vol. ii. p. 174.

Wyclif's own influence strengthened his followers at the University in their struggle against the intrusion of the friars. In London, too, as I have endeavoured to show, local causes strongly operated in favour of the teaching of Wyclif and the policy of John of Northampton. But many men were affected by such a movement as this, who had little care for the dignity of the University, no direct interest in the struggle between the guilds and the unattached tradesmen. The times were felt to be out of joint, and many men who were merely disgusted with the luxury and selfishness around them, and were struggling vaguely after a higher standard of life, took up the cause of Wyclif.

The Leicester Lollards. William Swinderby.—Of these the most curious and interesting was a Leicester citizen named William Swinderby. He had first attracted attention by his denunciations of the luxury and extravagance of women, specially in their dress. The women rose to stone him, and he was forced to fly for his life. Instead, however, of being put down by this resistance, he extended his attacks to the rich men, and preached that none who had riches could enter the

kingdom of heaven. Indignant at the corruptions of the town, he for a time retired into a solitary hermitage; but being followed even there by his admirers, who attempted to force rich gifts upon him, Swinderby next retreated to a monastery.

Although he was welcomed there as a saint, he does not seem to have been at all satisfied with the life which he found there, and he paid continual visits to a chapel of St. John the Baptist, a little way from Leicester.

William Smith.—This chapel was the meeting place of several leading Leicester Lollards,¹ and one of them, named William Smith, specially attracted the attention of Swinderby by his denunciation of the immoral lives of the clergy, and the practice of going to law to enforce the payment of debts. Smith, whose name seems to have been taken from his trade, is described by Knighton as despicable and deformed in person, and as having taken up an ascetic life in consequence of having been refused by the woman whom he wished to marry. ‘Wine and beer he refused as if they were poison.’ He objected to

¹ It must be remembered that Wyclif, as rector of Lutterworth, would have much direct influence in Leicestershire.

dress in linen, would never eat either flesh or fish, and went about with bare feet.

William Thompson.—The Bishop of Lincoln, whose authority extended over Leicester, soon began to notice the growth of Lollardry in the town, and at last William Thompson, a follower of Swinderby's, was specially marked out for vengeance. Thompson had been in the habit of preaching standing on two grindstones which were put up for sale outside the chapel ; and he attracted such sympathy by his sermons that when he was summoned before the bishop, and condemned to be burnt, the men of Leicester rose in his defence.

In spite, however, of this rising the bishop seemed disposed to carry out his sentence, had not John of Gaunt, who knew the strength of the party whom he had deserted, advised the bishop to abandon this extreme penalty, and content himself with prohibiting Swinderby and his followers from preaching in his diocese,¹ and a similar prohibition was subsequently enforced by the Archbishop of Canterbury.²

¹ Knighton, pp. 2665, 2666. For the description of Smith, see *ibid.* pp. 2660, 2661.

² Wilkins, *Concilia*, vol. iii. p. 15.

The Leicester movement seems to have attracted great attention from the ecclesiastical authorities, the greater perhaps because Swinderby was favoured by the Mayor of Leicester.¹ Here too, as at Oxford, the enemies of the Lollards claimed several victories ; and amongst those who are mentioned as having abjured their heresies we find the name of William Smith.²

Lollard Recantations.—The accounts given by the chroniclers of the frequent recantations of the early Lollards have been sometimes attacked as if they were mere inventions. Although this suspicion is not wholly without excuse, it seems to me exaggerated and one-sided. That the monks were continually wresting the words of the reformers from their natural meaning, so as to make them appear evasive and cowardly, is clear enough. But the chroniclers are generally forced, in spite of themselves, to admit evidence which in many instances refutes their view of the case; and as this occurs in the cases of those against whom they were specially hostile, it seems probable that where this evidence does not appear

¹ Walsingham, as above, vol. ii. p. 56.

² Wilkins, *Concilia*, vol. iii. p. 211.

it did not exist. In the cases of Repyngdon and Herford we have the evidence of a Lollard song as to their recantations;¹ and there is something very reasonable in the supposition that others, too, flinched from the encounter with the bishops. Many of the Lollard leaders were, as I have already implied, rather men of high aspirations and popular sympathies than of clear and definite faith. The leading offence of many of them was that of Aston and Repyngdon, that they did not feel that their knowledge entitled them to speak as plainly as the other clergy did on some of the mysteries of faith. The great offence of others was that they denounced the immorality and indolence of the clergy. It was not wonderful, therefore, if with so little definiteness of purpose among their leaders, the Lollards might seem to incur justly the taunt of Walsingham that 'none of them was in a hurry for martyrdom.'²

Causes of Lollard Progress.—But the question naturally arises, if so many leaders of the movement flinched in the time of danger, how was it that the movement itself instead of collapsing

¹ Wright, Political Songs from Edward II. to Henry VII. p. 262.

² Walsingham, as above, vol. ii. p. 189.

steadily grew in importance? Something, no doubt, must be attributed to the firmness and courage of Wyclif himself: partly, perhaps, the recollection of Tyler's rising; partly the subsequent movement of John of Northampton; partly the fear that John of Gaunt might even yet interfere to save his former protégé from the extremes of clerical vengeance, may have served to protect Wyclif to the last from the final results of the excommunications which were so often repeated against him. Certainly we have sufficient evidence that, whatever may be said of his followers, he at least remained firm to the last; and the memory of his firmness must have influenced many, even of those who had not been personally acquainted with him.

Lollardry and the English Language.—But Wyclif and his followers had enlisted on their side a supporter more dangerous to tyranny and fraud than even Wyclif; this supporter was the English Language. Wyclif's translation of the Bible was but the first step in a general movement to bring the thoughts of the learned and earnest reformers within reach of the poorest in the land. The clergy felt their danger,

and, with a daring worthy of a better cause, declared war on this new and more terrible foe. The command to Aston to speak in Latin, because of the laity who stood by, and his refusal, was a type of the struggle between the monks and the Lollards. ‘Though,’ says Knighton, ‘these men had only been newly converted, those who imitated this sect changed at once their form of speech, and adopted one singularly suited to their doctrine, and both men and women by a sudden change became teachers of evangelical doctrine in their native idiom.’¹ And he adds further that their special phrase was, ‘Goddis Lawe,’ and that they claimed to be true teachers because they had translated the Gospels into English.

William Smith, at the time of his recantation, was compelled to surrender his writings in English about the Gospels.² And we shall see that the writing in English becomes more and more a note of Lollardry.

Crusade against Clement: 1382 to 1384.—Another point of Lollard teaching which excited much sympathy, not merely among the poorer classes to

¹ Knighton, p. 2664.

² Ibid. p. 2736.

whom they specially appealed, but even among statesmen of a higher rank, was the denunciation by Wyclif and his followers of war, and especially of the invasion of France by the Bishop of Norwich on behalf of Pope Urban. This so-called crusade, which had for its object to suppress the supporters of the anti-Pope Clement was largely shared in by men who were admitted even by the supporters of the expedition to be merely self-seeking intriguers.¹ And sensible men were farther disgusted to see not only friars and monks but even parochial clergy leaving their natural work to go and fight in a crusade.²

Career of Henry Spenser, Bishop of Norwich: 1381 to 1406.—The Bishop of Norwich, Henry Spenser, is one of the clearest and most striking figures among the opponents of the Lollards. He, almost alone among the grandees of the kingdom, seems never to have flinched during the insurrection of 1381. When all was confusion around him, he led out the troops to meet the insurgents in Norfolk, and obtained the only victory over them which was won by open fighting. His opposition to the Lollards was so decided, when other

¹ Walsingham, as above, p. 86.

² Ibid. p. 91.

bishops were shrinking from opposing them, that he succeeded in excluding them from his diocese.¹ And he seems to have been for some time the sole prominent promoter, as he was the leader, of the crusade to which I have referred.

Such a foeman was well worthy of Wyclif's steel, and he did not hesitate to attack him; but in this, as in everything else that was evil, Wyclif saw the hand of the friars, and he denounced them as the stirrers up of the war.²

A meaner man might, perhaps, have seen an opportunity in this division of his enemies for making alliance with one party of them against another; but Wyclif was superior to such an inconsistency, and he denounced with equal vehemence the friars who supported Clement and those who were on the side of Urban.

The position of the Bishop of Norwich and other favourers of the crusade was further complicated by the flight of Pope Urban from Rome,³ and towards the end of 1383 the king became openly hostile to the expedition, ordered the return of the Bishop

¹ Walsingham, as above, p. 189.

² Wyclif's Works, as above, vol. ii. pp. 191, 192.

³ Walsingham, as above, vol. ii. p. 105.

of Norwich, and on his refusal seized on his temporalities.¹

Death of Wyclif: 1385.—In 1384 the pope made the last effort to get Wyclif into his hands ; but was merely answered by a defiance.² And in the year following Wyclif himself died.

Failure of Lollard Attacks on the Clergy.—In the very same year was made one of the first of those often-repeated attempts of Parliament to take away the right of the clergy to tax themselves separately, and some mutterings were heard of that fiercer storm which was to sweep away the temporal grandeur of the clergy altogether.³ But the attack was premature ; the king, aided probably by the leading nobles, stood by the clergy ; and in the same year a further sign of the royal policy was given by the restoration to the Bishop of Norwich of the temporalities which had been taken away from him for his disobedience.⁴ But though the archbishop and bishops continued to struggle against heresy during the following years,⁵ not

¹ Walsingham, as above, vol. ii. p. 109.

² *Fasciculi Zizaniorum*, p. 341.

³ See esp. Walsingham, pp. 139, 140.

⁴ Walsingham, p. 141.

⁵ See esp. Wilkins, *Concilia*, vol. iii. pp. 202—211.

without some success, the attention of the country at large, and probably of the king, was distracted from the subject of Lollardry, first by the fear of a French invasion, and next by the struggle of the Duke of Gloucester against the king's favourites.

Struggle of the Duke of Gloucester against the King: 1386 to 1397.—This struggle was in no sense either an effort to establish constitutional freedom or to redress the wrongs of the poorer classes. That many of Richard's favourites were corrupt and tyrannical there is little doubt, and it is possible that the Duke of Gloucester's party may have respected the law during the time of their power rather better than the king's favourites; but it is equally clear that the feeling against the favourites of Richard, as against those of Edward II., was much more the hatred of nobles for men of low birth than of champions of the constitution for breakers of the law.

The council of fourteen which was established by Gloucester's party after the fall of the Earl of Suffolk,¹ need not necessarily have been a more constitutional body than the smaller council by

¹ See esp. Knighton, pp. 2684—2686; compare Walsingham, vol. iii. p. 150, near end of paragraph.

which Richard afterwards superseded parliament altogether ; and the fact that in 1388, when the Duke of Gloucester's party was at the height of its power, the parliament re-enacted the Statutes of Labourers and the Statute of Apparel, is sufficient proof that there was little real popular sympathy in the leaders of this movement.

Effect of the Struggle on the Lollard Movement.— But though the leading nobles had no share in the democratic sympathies of the Lollards, and though subsequent events showed that the most prominent allies of the Duke of Gloucester suspected and disliked the reformers, yet the strong sympathy which the king had shown for the clergy and the friars,¹ and his announced intention of suppressing heresy, naturally led the Lollards to take part with his enemies. The fact, too, that Nicholas Brembre was one of the favourites of the king, led the party of the nobles to make a hero and a martyr of John of Northampton.² The nobles on their part would have been only too delighted to make an alliance with the Londoners among whom Lollardry was so popular ; and though the latter were never very

¹ As to friars, see esp. Rymer, *Fœdera*, vol. vii. p. 447.

² See Rot. Parl. vol. iii. pp. 291—293.

certain in their allegiance to the Duke of Gloucester's party, yet their sympathies seem on the whole to have lain in that direction.¹

The Lollards, therefore, in spite of the denunciation of the archbishop and the desertions of many of their friends, seized this opportunity for pressing their doctrines on the attention of the country.

Peter Patteshulle: 1387.—Their party was at this time recruited by a deserter from the friars, named Peter Patteshulle, who had been appointed a papal chaplain. He seconded the attacks of the Lollards on the friars by revelations of the crimes which, while a friar, he had observed among his fellows in the order. The tremendous character of these charges, among which murder and treason were some of the smallest, stirred up public indignation against the friars; severe riots followed,² and several of the smaller gentry joined with the Lollards in their attacks.

But the impulse given to the Lollard movement by the struggles between the nobles and the king did not cease with the decline of the Duke of Gloucester's power; and in 1395, when the king was

¹ Compare Walsingham, vol. ii. pp. 161 and 171, and Knighton, pp. 2701—2704. ² Walsingham, vol. ii. 157—159.

already preparing for the coup d'état which he struck two years later, the Lollards brought forward, for the first time in parliament, that one of their doctrines which would excite most sympathy in modern times, the denunciation of the celibacy of the clergy.¹

Celibacy of the Clergy.—It may seem strange to us that a reform so essential to morality had not been dwelt on more prominently by Wyclif and his earliest followers. Wyclif's central idea that life in the world, in accordance with the ordinary laws of Christ, was so much better than life bound by the rules of monks or friars, would seem to involve a much warmer support than he actually gave to the dignity of that state of life which the rules of the friars and monks branded as a low and worldly one. But Wyclif's horror of the licentiousness of the friars and the self-indulgence of the clergy had driven him into asceticism; and thus, while he objected to the laws which hindered the right of the clergy to marry, it was clear that he himself considered marriage as a lower state.² Indeed, the one

¹ See especially *Fasciculi Zizaniorum*, p. 361, but see also *Wilkins, Concilia*, vol. iii. p. 221, and *Walsingham*, vol. ii. 216.

² Arnold's ed. of Wyclif, vol. iii. p. 189.

protest in his writings against the law of celibacy for the clergy was so slight and casual¹ that it for a long time escaped the notice of his enemies ; and one of the most prominent and virulent of them declared that he had for a long time doubted whether the Lollards had really derived this doctrine from their leader.

But whatever doubt there might have been about Wyclif's feeling on this subject, there could no longer be any with regard to that of his followers, who now came openly forward to protest in parliament against the vows of clergy and of nuns,² while at the same time they repeated in a fiercer form Wyclif's denunciations of war, and also attacked capital punishment.

The king, who had already suspected the Lollards of rebellious intentions, now hastened back to England from Ireland, where he was engaged in putting down insurrection, and compelled the prominent leaders of the Lollards to abandon their preaching.³ The more universally-professed Lollard doctrines, such as the denial of

¹ Compare Arnold's ed. of English Writings of Wyclif, vol. i. p. 364, with preface to vol. ii. p. v.

² *Fasciculi Zizaniorum*, p. 367.

³ *Walsingham*, vol. ii. pp. 216, 217.

the efficacy of prayer to images, and of pilgrimages, were about the same time denounced by the Archbishop of York.¹

Richard's Coup d'état: 1397.—A new outburst of vigour seems to have seized the bishops at this time, and a Council was held, at which several of Wyclif's doctrines were condemned. The ecclesiastical reaction was probably helped forward by the political reaction; for it was in the very year after this Council that Richard struck his final blow at the Duke of Gloucester, and at the liberties of England. The duke and other leaders of the opposition were summarily arrested, and some of them put to death; a band of ruffians were summoned from Cheshire to help the king in his violent acts,² and parliament was forced to surrender its powers to a small council appointed by the king.³ As if further to irritate against him the feelings of those nobles who had been trained in the Court of Edward III., Richard asked and obtained the sanction of the pope to an act annulling the proceedings of the parliament that had condemned his

¹ Wilkins, *Concilia*, vol. iii. p. 225.

² Walsingham, vol. ii. p. 224.

³ See esp. Walsingham, p. 226.

favourites.¹ No pope ever gave anything for nothing, and the Statute of Provisors was accordingly modified to meet the papal demands.²

Having swept away parliament, the king next proceeded forcibly to raise money for his Irish wars ; spies were encouraged throughout the kingdom, and many men were condemned on utterly frivolous charges by military law.³

Such were the causes of complaint against Richard when the banished Duke of Hereford, just become Duke of Lancaster by his father's death, returned to England, in spite of his sentence of banishment, and claimed his hereditary lands.

Accession of Henry IV. : 1399.—The collapse of Richard's power, and the easy conquest of England by the Duke of Lancaster are well known ; Richard was deposed for having broken parliaments and yielded to the power of the pope ; and the son of John of Gaunt became King of England.

Lancastrian Church Policy.—The Lollards must have looked upon the new king with very mixed feelings. Neither his father's policy nor his own

¹ Walsingham, p. 227.

² Wilkins, *Concilia*, vol. iii. p. 237.

³ Walsingham, vol. ii. p. 231.

could give them a clear indication of what they were to expect from Henry.

Great as had been the effect of the desertion of John of Gaunt on the Lollard movement, he had never assumed an attitude of decided hostility to the reformers. At any rate he had modified the zeal of the clergy in one or two instances, and in spite of his intimacy with the friars had never shown any sympathy with the policy of the clerical party.

Henry himself had taken a decided line on the side of the Duke of Gloucester against the king; but he had opposed the execution of Sir Simon Burley,¹ a favourite of Richard's, and had since that time been chiefly famous for his exploits in Lithuania. At the same time the decided denunciations, at the deposition of Richard, of the concessions made by that king to the papal authority, might have led the Lollards to hope that Henry would feel bound to oppose that party which most relied on the authority of the pope.

Concessions of Henry IV. to the Commons.—So far as the cause of Lollardry was bound up with popular freedom, there seemed some hope from the earlier acts of Henry. The king promised that on

¹ Walsingham, vol. ii. p. 174.

certain matters no advice should be heard until the Commons had deliberated and expressed their wishes;¹ and he further conceded that privilege, which was afterwards to become so famous, that they should have answers to their petitions before they made a grant of money.²

But although Henry was ready to make friends with the House of Commons, at any rate while his title was weak and his power uncertain, yet he was by no means disposed to favour them in the attacks which they were beginning to make on the power and property of the clergy.

Causes of Henry's Church Policy.—Henry was surrounded with enemies. The Scotch had taken advantage of the troubles in the kingdom to attack Berwick; the French succeeded in recovering a great part of Aquitaine; the Welsh, under Owen Glendower, were making a bolder stroke for independence than they had made since the days of Edward I.; while the friends of Richard in England were continually plotting against Henry's throne and life.

Under these circumstances it was absolutely necessary for the new king to conciliate some

¹ Rot. Parl. vol. iii. p. 456.

² Rot. Parl. vol. iii. p. 458.

more powerful supporters than a mere body of petitioners, like the then House of Commons. He therefore chose to ally himself with the clergy; and we may well believe that for his one object, the stability of his own throne, he chose wisely.

Even during the reign of Edward III. the clergy had held their own against king and nobles; and during the reign of Richard II. the boldness and vigour of their action seem to show an increase of power. Their leaders were the most dangerous enemies of Henry when he came to the throne; they were to become the most powerful champions of himself and his descendants.

The Burning of Heretics.—In the year 1401 Henry gave the first sign of the policy which he intended to follow by the famous statute, ‘*De Heretico Comburendo*.’ That the bishops had before this time claimed the power of burning heretics is clear enough, both from the threat of the Bishop of Norwich and the still more definite claim of the Archbishop of Canterbury.¹

But this claim seems never to have been endorsed by royal or parliamentary authority until the year at which we have now arrived.

¹ See above.

A more complicated piece of Jesuitry was possibly never devised than this famous statute. The Lollards who were caught in the act of preaching their doctrines were to be arrested by the king's officers and handed over to the bishop of the diocese: he was to pass judgment on them, and degrade them, if they were in holy orders; then they were to be handed back to the secular arm, to be burnt in accordance with this ecclesiastical decision. Thus did the authorities of State and Church toss backwards and forwards upon each other the legal responsibility for cruelties for which both were morally responsible. When one considers who it was who caused this Act to be passed, and under what circumstances, one cannot but wonder at the popular judgments of history. Poor Mary Tudor has been branded with the name 'bloody' because she put to death men whose doctrines she, not unreasonably, connected with most heartless insults to her mother and herself, with the misgovernment of Somerset, and the treachery of Northumberland; while the son of John of Gaunt, who, brought up no doubt to hate the power of the clergy, and reaping the fruits of the overthrow of a champion of their

power, deliberately sacrificed to their vengeance the men whom his father had once affected to patronize, and for the first time in English history gave a distinctly legal sanction to clerical tyranny, is probably known to ordinary readers of history as

‘Henry the Fourth,
Whose wisdom was a mirror to the wisest.’¹

Career of William Sawtre: 1399 to 1401.—The new instrument of tyranny was not long left useless ; and it was fortunate for the Reformation that the first victim against whom it was to be used was worthy of the occasion, and capable of standing by his cause. William Sawtre, a parochial chaplain of St. Sythe the Virgin, in London, had already appealed in the very year of Henry’s coronation to parliament for a hearing in defence of his special doctrines. He chiefly insisted on the idolatry of the adoration of the cross ; on the superiority of preaching to the performance of religious services ; and on the absence of any mysterious change in the elements of the Lord’s Supper.

But there is one phrase attributed to him which is a curious instance of that vehemence of language

¹ Third part of King Henry VI. act iii. scene 3.

characteristic of the promoters of a great change. He is said to have held that it would be better to adore a man, if one of the elect, than any angel of God ; since human nature was nobler than the angelic.¹

Sawtre is accused by his enemies of having recanted for a time ; but, if this occurred, the time of his orthodoxy must have been very short, since he was preaching his conclusions in 1400, and he was burnt for them in 1401.

It is somewhat painful to a student of history to be able to find out so little about the first sufferer for Protestantism ; but this at least is clear, that his death gave fresh vigour to the Lollard movement.

More Heretics : 1402.—In the following year a new batch of heretics was seized and brought before Archbishop Arundel,² and one of these, John Seygno, persisted in standing by his creed, even while others were recanting.

John Seygno.—It is worth while to rescue Seygno from the oblivion which has fallen upon many of his friends ; not merely on account of

¹ Compare Wilkins, *Concilia*, vol. iii. p. 255, and *Fasciculi Zizaniorum*, p. 408.

² Wilkins, *Concilia*, vol. iii. p. 270.

the firmness of his faith, but because we find in it the traces of that sternness and rigour which were the natural result of persecution, and which are as important as the nobler elements of Lollardry, in linking it with the Puritanism of the seventeenth century.

Seygno held that the old Jewish law was binding on Christians, both as to the observance of the Sabbath and the abstinence from eating unclean animals.

And while among the workmen, poor tradesmen, and poor chaplains of London, Lollardry was gaining ground, proof was soon to be given that in the University of Oxford the work and teaching of Wyclif had not been forgotten.

The Oxford Protest against Persecution.—In the year 1406, when the statute for burning heretics was in full operation, when Huss was beginning to alarm the orthodox world, and when the horror of schism was increased by the corruptions and the quarrels of popes and anti-popes, the Masters of Arts of the University of Oxford addressed to ‘all children of our Holy Mother the Church,’ the following noble protest: ‘Forasmuch as it is not decent to over-pass with continual silence the acts of the valiant, nor the lauds and merits of the

good; but that the same should be manifested to the world by true fame, for a witness of itself and example of others; for that also the provident discretion of humane nature weighing man's cruelty, hath ordained this manner of remembrance, and this buckler of defence against the blasphemous insulting of others; that when a testimony by word cannot always be ready, a pen to write may supply; thereon it cometh to pass that we, having conceived a special good mind and tender care over the child some time of our University, John Wyclif, Professor of Holy Theology, according to the deserts of his manners, do testify with heart, word, writing, that his conditions while he lived were commendable, whose honesty of manners, profundity of judgment, and pleasantness of flourishing fame, we covet so much the more to bring to the knowledge of faithful people, as the perfection of his conversation and diligence of his writings might be the more evidently known to tend to God's glory, the weal of his neighbour, and the profit of the Church. Wherefor we publish unto you these presents, that his conversation from his early years, continued until the time of his decease, hath been

right good and honest ; so as there was never any note of sinister suspicion or infamy cast abroad of him, but in answering, reading, preaching, and soluting, hath behaved himself praiseworthy like a stout champion of the faith, and vanquished by sentences of Scripture like a Catholic man all those blasphemers of Christ's religion by their wilful beggary. And therefore was not the said doctor condemned of heretical gravity, or yet by our prelates to be burnt after his burial. God defend therefore that our prelates should have condemned so good a man for an heretic, which in logic, philosophy, theology, in morality, speculatives, among all that have written as we think in our University (is) without peer ; all which things we desire to bring to the knowledge of all and singular persons unto whose hands these presents may come, to the intent that the said Doctor's fame may the oftener be had in remembrance. In witness whereof we have caused these our letters testimonial to be sealed with our common seal. Given at Oxford in our Congregation-house this 5th day of the month of October, anno 1406.¹

¹ I have taken the translation of this document from Stowe's Chron. pp. 296, 297. One form of the original is to be found in Wilkins' Concilia, vol. iii. p. 306.

Policy of the Prince of Wales.—But while the University of Oxford thus united its cause with the smiths and tailors of London and Leicester, the aristocratic opposition to the Lollards became more decided and active. In the very same year when this testimony was put forth by the Masters of Arts at Oxford, the House of Lords, headed by the Prince of Wales, presented a petition to the king against the Lollards, accusing them of stirring up the people to take away property from prelates and ministers of the Church, of publishing false prophecies, and of preaching against the Catholic faith and sacraments.

This petition is specially noticeable for having first connected the usual charges against Lollards with the charge of an attempt to prove that King Richard was alive, and to assert his claim to the throne.¹

John Badby: 1410.—Nor was this petition without its effect. In 1409 or 1410, died the second known sufferer in the cause of the Reformation. This was John Badby, a tailor of Evesham, who had denounced the doctrine of transubstantiation with that mixture of logic and rough humour

¹ Rot. Parl. vol. iii. pp. 583, 584.

which one observes in several of the reformers of the fourteenth and fifteenth centuries, although it reminds one rather of the method of Latimer than of Wyclif.

Badby, for instance, is said to have declared that 'if the host on the altar were God, then there were twenty thousand Gods in England.'¹

It was not unnatural that his enemies should see the venom of asps on Badby's lips, and a great spider crawl over his face during his examination.²

But a severe test was to be imposed on his fortitude. After he had been carried to Smithfield, and shut up in the cask in which he was to be burnt, Prince Henry came up to him and urged him to recant. He refused, and the cask was set on fire. The cry of anguish which Badby uttered at this torture encouraged Prince Henry to make another effort for his conversion, and the fire was taken away. So eager was the prince to prevent the influence which Badby's heroism seemed likely to produce, that he not only promised him life, but the payment of a daily sum from the treasury

¹ Wilkins, *Concilia*, vol. iii. p. 327.

² *Ibid.*

as long as he lived. This bribe, however, proved ineffectual, and Badby was burnt to death.¹

Encouraged by Badby's heroism, the Lollard party in the House of Commons repeated an attack on the property of the clergy, which they had already made once in 1404, and coupled with it an attempt to abolish or modify the statute for burning heretics; but the leadership of Prince Henry gave the party of persecution additional vigour, and this attempt was not only defeated, but was met by a threat that the penalties against the Lollards should be increased.²

Such, then, was the state of Lollardry in the year when the new champion, whose career was, by the admission of both friends and foes, to form so important an element in the history of the Reformation, first takes up his natural position.

¹ This account is taken from Walsingham, Hist. Ang. vol. ii. p. 282. In this account, indeed, Walsingham does not mention Badby's name, and describes the victim as a smith; but as no allusion to the execution of any smith in this time is made either in Wilkins or in Rymer, we must conclude that Walsingham made a mistake as to the trade of the victim; that the smith mentioned by him is really the John Badby of Evesham mentioned in Rymer's Fœdera, vol. viii. p. 627, and Wilkins' Concilia, vol. iii. pp. 325—328.

² Walsingham, vol. ii. p. 283.

Summary of the Early History of Lollardry.—

Beginning with the favour of nobles and king, the Lollard movement had since the time of John Ball become more and more closely connected with the cause of the poor and with movements for popular freedom. While many of the professors and students at Oxford had supplied to Lollardry an element of culture and learning which was necessary to its life, they had been forced to lay aside those mere logical subtleties in which Wyclif had delighted, and to speak in plain English (plain both in form and matter) to shoemakers, and tailors, and smiths, of the tyrannies of the clergy, and of the connection between God and every Christian man, which the priests had tried to break.

The various tyrannies to which the abbots and monks had subjected their tenants had led Wyclif to mark the mout as the very models of tyrants; and the frauds by which they, and still more the friars, preyed upon the poor, strengthened the hold of the Lollards on the popular mind. The worship of images and crosses, and the insistence on pilgrimages, are amongst the customs which we find oftenest denounced by the Lollards. But the outcries against fraud and tyranny, against wealth

entrusted to the clergy for the common good, and misused by them for their private ends, while they alarmed more and more those rulers of the kingdom who felt that their own tyrannies were glanced at in these attacks, found an echo in that body which was struggling to express the aspirations of the people.

One growing link between the cause of the poor and the House of Commons may be found in the opposition of the rulers of towns to the claims made by the owners of serfs. Whatever might have been the feeling of the great merchants during the panic which followed the insurrection of Tyler and Ball, they soon began to find that the independence of the great towns necessitated the assertion of that privilege by which serfs who fled there became free, a privilege which was constantly attacked by the owners of those serfs.¹

Thus the Lollard movement spread gradually upward from the workmen to some of the merchants, and found supporters occasionally among the knights of the shires. But the bulk of its supporters and martyrs were still either among the workmen, or those poor chaplains whose social

¹ Rot. Parl. vol. iii. p. 296 and p. 499.

position seems little to have differed from that of the workmen; while the king and his son were consolidating against them the opposition of the aristocracy both spiritual and temporal, and holding out their hands to the friars,¹ although the latter for the present met their advances by conspiracy and rebellion.²

¹ Rymer, *Fœdera*, vol. viii. p. 189 and p. 488.

Walsingham, *Hist. Ang.* vol. ii. pp. 249, 250.

CHAPTER II.

CAREER OF SIR JOHN OLDCASTLE: 1409—1417.

Cooling Castle.—In a part of the county of Kent which has remained singularly free from the influence of railways or towns, stand the ruins of Cooling Castle. Although only fragments remain, yet these fragments are enough to show the great extent of the castle, and the extraordinary strength of part of it. This strength is specially remarkable in the chief gateway whose lower part remains almost intact. On one side of it is the inscription—

‘ Knoweth that beth and shall be,
That I am made in help of the contre,
In knowing of which thing,
This is chartre and witnessing.’

Below the inscription are the arms of John de Cobham, to whose family the castle had belonged ever since the reign of Edward I. But no important historical associations seem to have

gathered round it till it passed into the hands of Sir John Oldcastle; for it was here, in the reign of Henry IV., that Oldcastle lived, and held his own against kings and bishops.

Oldcastle's Early Life.—His family seem to have come originally from Herefordshire.¹ Whether they had been in any way illustrious before his time does not appear; but the only pedigrees which I have been able to discover do not go back to any great distance, nor include any distinguished names. But that Oldcastle himself was a man of considerable position and influence in his county is evident from every part of the story; while his friendship for Prince Henry, which has been immortalized in so curious a manner, no doubt must considerably have increased the fear with which he was regarded by his enemies.

According to tradition, founded apparently on an expression in one of his answers to the bishops, ‘his youth had been full of wanton wildness.’² But no clear record is preserved of this time, and the Lollard teachers rescued him from his evil ways.

Although from the important service intrusted

¹ Bodley, MS. f. 21.

² Bale's Life of Oldcastle, p. 4.

to him on one occasion by Henry IV. we gather that his military prowess must have been one of the causes of his influence, yet the interest which he showed in the controversies of the time soon roused against him the scorn which was felt in the ages of chivalry for a knight who cared for learning.

The extent to which these contemptible tastes were held to degrade him may be gathered from the following extracts from a song of the time :—

‘ Hit is unkindly for a knight
That shuld a kynges castel kepe,
To bable the Bible day and night
In restyng time when he shuld slepe,
And carefoly away to crepe ;
For alle the chief of chivalrie,
Wel ought hym to wail and wepe,
That swyche lust is in Lollardie.’

* * * * *

‘ That castel is not for a kynge,
That the walles be overthowre,
And yut wel was abidynge,
Whan the capitayn away is flowe,
And forsakes spere and bowe,
To crepe fro knighthode into clergie.’

* * * * *

‘ I trowe ther bin no knyght alyve
That wold have don so open a shame,
For that craft to study or strive
Hit is no gentilmannes game.’¹

¹ Wright's Political Songs from Edward II. to Henry VI., pp. 244, 245.

The poverty and low social position of most of the students at Oxford at this time was no doubt one of the causes of this scorn of learning. But the contempt, however produced, did not weaken Oldcastle's zeal for Lollardry, or his power of protecting his friends.

First Public Appearance of Oldcastle.—He seems already to have attracted attention as a Lollard leader in the reign of Richard II., and to have come forward in 1395 with some other reformers in an attempt to limit the power of the pope in the matter of excommunication.

Attacked as a Protector of Heretics: 1409.—For a time the Lollard party appeared successful in this attempt; but in the reaction which followed, Oldcastle very nearly fell a victim to his enemies. How he escaped¹ their vengeance seems uncertain; but his risk on this occasion did not induce him to modify his opposition to clerical tyranny; and in 1409 the Archbishop of Canterbury (Thomas Arundel) called the attention of the Dean of Rochester to the fact that 'a certain John, pretending to be a chaplain, staying in the diocese of Rochester, with Master John Oldcastle, gentleman,'

¹ Bale's Life of Oldcastle, pp. 7, 8.

had not 'feared to preach contrary to our constitution, and without asking for either our leave or that of the diocesan of the place, in the churches of St. Mary and Werburga in Hoo, Halsto, and Coulyng, and to blaspheme and mock at evangelical decrees and sanctions of the orthodox fathers, sowing damnably weeds and tares, and heresies and errors, contrary to the decision of our Holy Mother the Church, to the suppression of the true seed of Jesus Christ, especially in the said Church of Coulyng.'¹

Order was thereupon given that the said chaplain should be arrested. Whether the officials of the archbishop were able to carry out this order or not is uncertain.

That Oldcastle subsequently resisted authority on behalf of his protégés is evident, and we hear no further news of the chaplain John. The attempted arrest, however, was followed for a time by an interdict being laid on the church at Cooling. But the rank of Oldcastle's wife seems to have inspired greater respect in the mind of the archbishop than the character of her husband ; and the Lady of Cobham subsequently desired that her

¹ Wilkins, *Concilia*, vol. iii. pp. 329, 330.

daughter should be married in the interdicted church to the heir of Sir Thomas Broke.

Interdict on Cooling, why taken off.—The archbishop thereupon withdrew the interdict avowedly ‘from reverence for the nobility of each of the persons concerned.’¹

This quaint outburst of flunkeyism is hardly likely to have impressed Oldcastle with any respect for his opponents, and though the king continued to denounce Lollardry,² he did not show any disfavour to Oldcastle; and in 1411 he despatched him, with the Earls of Arundel and Kyme, to Paris, to come to some terms with the Duke of Burgundy, who was already plotting to betray his country.³

Oldcastle as a Military Leader: 1411 to 1412.—This expedition seems to have ended in an open encounter with the Orleanist party, in which the English and Burgundians were victorious. This somewhat discreditable affair ended in the not less discreditable surrender of the prisoners taken in the battle to the fury of the French, who wished to have them put to death; and in the following year the crafty King of England changed sides in the

¹ Wilkins, *Concilia*, vol. iii. p. 330.

² Ibid. pp. 334.

³ Walsingham, as above, p. 286.

internal quarrels of France, and made a short alliance with the Duke of Orleans.

But the intrigues of Henry IV. were soon after brought to an end by death, and in April, 1413, his son, Henry V., came to the throne.

Accession of Henry V.—The hopes of both the ecclesiastical parties in England were excited by this change of kings. The Lollards on their part, trusting to the personal friendship of Henry V. for Oldcastle, hastened to proclaim their doctrines by papers affixed to the doors of all the churches in London, and are said even to have threatened violence to those who opposed them.¹

Expectations as to Henry's Church Policy.—The clergy, on the other hand, grounded their hopes on the decided line taken against the Lollards by the king when Prince of Wales, and proceeded to impeach Oldcastle in Convocation.

The time was a critical one for the Church and for Henry V. Preparations were already being made for the Council of Constance, which was to restore unity to the Church and suppress heresy. Henry himself was already meditating those claims on France which were to have so disastrous an

¹ Walsingham, p. 291.

effect both on France and England; and he needed the support of that wealthy class of which his father had been so firm a patron. Acting under the impulse of this feeling, he tried to propitiate the clergy by dismissing Oldcastle¹ from his household; but seems, nevertheless, to have felt a creditable reluctance to abandon his old friend at once to the extreme penalties of the law.

His Treatment of Oldcastle.—At the request of the king, therefore, the proceedings against Oldcastle were for a time delayed, while Henry attempted to work upon him by private persuasion. To a preliminary examination, however, the king consented, and on this occasion a book was produced which had been found with a certain Lymnore, in Paternoster Row, having been intrusted to him for illumination. This book was proved to belong to Oldcastle; but though he does not seem to have disputed its ownership, he denied that he had read more than two pages of it. The clergy, however, still pressed against Oldcastle the charges of maintaining heretical conclusions in several dioceses, and of protecting and favouring chaplains suspected of heresy.

¹ Thomas de Elmham, ed Hearne, pp. 30. 31.

The king's attempt to bring Oldcastle back to orthodoxy proved a complete failure; for though the reformer professed the greatest obedience to the king, he refused altogether to recognize the pope's authority,¹ and, alarmed for his safety, he retreated to Cooling Castle and shut himself up there.

The Archbishop and Oldcastle.—The king now despaired of milder measures, and, meeting the archbishop in Windsor Park, ordered him to proceed against Oldcastle according to the canon law.² The archbishop thereupon despatched a messenger to Cooling Castle; but so much alarm had Oldcastle's military prowess and determination inspired, that the messenger was instructed not to attempt to enter the castle at once, but to send a certain John Butler, an officer of the king's chamber, to persuade Oldcastle to admit him. When admitted, he was to serve on him the archbishop's citation.

The persuasions of John Butler, however, failed as signally as those of the king had done, and the messenger returned empty handed.

¹ Bale's Life of Oldcastle, pp. 13, 14.

² For this account see especially Wilkins, *Concilia*, vol. iii. pp. 352, 353.

The archbishop then proceeded to Rochester Cathedral, which was said to be not more than three miles from Cooling Castle, and summoned Oldcastle to appear before him in the vaults of that cathedral. Oldcastle however still refused to appear, and was finally excommunicated as contumacious. This excommunication was followed by more effective measures, and, while Robert Morley, the Warden of the Tower of London, was sent to secure the person of Oldcastle, the archbishop addressed a fiery letter to the Bishop of London, well calculated to stir his zeal.

Oldcastle was described in this letter as sending Lollards, unlicensed by ordinaries or diocesans, into the dioceses of London, Rochester, and Hereford ; as being present at these unlawful services, and resisting opponents with the power of the secular sword.. Further, he had attacked the power of bishops, and denied their right of making constitutions for the Church. Lastly, he was accused of thinking and teaching about the sacrament of the altar and repentance, about pilgrimages and the adoration of images, and about the power of the keys, other than the Roman and universal Church teaches.

The archbishop then gives an account of the attempts which he had made to bring Oldcastle to trial, and of the excommunication which had followed on the failure of these attempts. The Bishops of London and Winchester consented therefore to be present at the meeting when, on the 23rd of September, Oldcastle was brought before the archbishop by the Warden of the Tower of London.

Oldcastle's Trial. First Day. — He was then questioned as to his belief, and answered by reciting the Apostles' Creed. This he followed by a slight expansion of the creed and a discourse on the proper position of priests, knights, and Commons in the State. Amongst other things, he maintained that the Church was divided into three parts, those who lived on earth, those who were in purgatory, and those who were in heaven.¹ This statement of faith seemed simple and straightforward enough, nor at the same time could the bishops find much heresy in it; but then came the blow which made them feel that they were dealing with an opponent of their power, whether heretic

¹ The account of this whole examination is taken from Bale's Life of Oldcastle, p. 17.

or no. Turning from the archbishop he offered his written statement to the king. The king, however, was resolved to stand by the clergy, and ordered Oldcastle to present this document to the archbishop. Still anxious to trust to the laws which he understood, rather than to ecclesiastical power, Oldcastle next offered to produce a hundred knights and esquires to clear him of heresy, or else to maintain his cause by the ordeal of battle. These proposals being rejected, the prisoner, with an inconsistency which is rather puzzling in such a man, appealed to the pope, on which Henry retorted that Oldcastle should stay in prison as long as the pope wished.¹ In spite, however, of this threat, Oldcastle was allowed another chance of clearing himself, and at a later day was again brought before the archbishop.

Second Day.—With an air of generosity, which was perhaps due to the influence of the king, the archbishop offered to give Oldcastle absolution if he would ask for it. Oldcastle, however, refused the absolution, and desired instead to read a pro-

¹ Did this story rest on less credible authority than Bale's, I should reject it; but that sturdy Protestant would have been the last person to invent it.

fession of his faith. Leave having been given, he read as follows :—

‘ I, Johan Oldcastel, Knight, Lord of Cobham, wole that all Cristyn men wyte and understand that I clepe, Allmyghty God in to wytness that it hath been, now ys, and ever wyth the help of God shall ben myn entent and my wylle to beleve feythfully and fully all the sacramentis that evyr God ordeyned to be do in holy Churche ; and more over for to declare me in those foure peyntes ; I beleve that the most worshiffull sacrament of the auter is Cryste’s body in forme of bred, the same body that was borne of the blyssyd Virgyne our Lady St. Mary, don on the cross, deed and buryed, the thrydde day rose fro deth to lyf, the wych body is now glorified in hevene. Also as for the sacrament of penance, I beleve that it is nedful to every man that shall be saved to forsake synne and do due penance for synne before doon, wyth trew confession, very contrition, and duhe satisfaction as Goddes lawe lymiteth and techeth, and ellys may not be saved, whych penaunce I desir all men to do. And as of ymages I understande that thei be not of bileyve, but thei were ordeyned syth the

bileve was sewe¹ of Crist be sufferaunce of the Churche to be kalenders to lewed men, to represent and bryng to minde the passion of our Lord Ghesu Crist, and martirdom, and good lyvyng, and other seyntes, and that who so it be that doth the worshipe to dede ymages that is duhe to God, or putteth seych hope or trust in help of them as he shuld do to God, or hath affeccion in on more than in another, he doth in that the grete synne of mawmentre.² Also I suppose this fully, that every man in this erthe is a pilgrime towarde blys or towarde peyne ; and that he that knoweth not ne wole not knowe ne kepe the holy comandementes of God in his lyvyng here, albeit that he be goo on pylgrimage to all the world and he dy so he shall be dampned ; and he that knoweth the holy comandementys of God, and kepeth hem, hys end (is that) he shall be saved, tho he never in hys lyve go on pilgrimage as men use now, to Canterbury, to Rome, or any other place.'

This confession of faith was admitted by the

¹ Probably for 'su,' known.

² Idolatry.

³ This is taken from Wilkins' *Concilia*, vol. iii. p. 353. It is given (in the main at any rate) in the same form by Bale. The main part of Oldcastle's career, till his insurrection, has been taken partly from Wilkins' *Concilia*, partly from Walsingham.

archbishop to contain many Catholic statements ; but he demanded that Oldcastle should give a more definite and dogmatic account of his belief, especially with respect to the doctrines of 'the Lord's Supper, of Penance, and Confession.'

This demand, it will be remembered, had been made of Aston and Repyngdon, but in their case the demand had been grounded on their position as clergy and Bachelors of Arts. A new principle was therefore introduced when the archbishop now made the same demand of a layman and a soldier ; and it was probably due to their sense of the growing weakness of their then position, that the bishops were attempting to enforce the expression of more definite and dogmatic statements of doctrine, which unlearned men could hardly venture to make without stumbling into heresy.

However unwilling Oldcastle may have been to commit himself on these difficult questions, he left no doubt of his opinion on the political side of his creed. What God and the Church wished, he said, he would believe and observe, but he refused to admit, in any degree, that the pope, cardinals, archbishops, or bishops had any power of determining these questions.

In spite, however, of this defiance, the archbishop once more offered Oldcastle absolution. ““Naye for soth,” replied the reformer, “will I not; for I never yet trespassed against you, and therefore I will not do yt.” And with that he kneled down on the pavement, holdyng up his hands towards heven and sayd, “I shryve me here unto the, my eternal and lyvynge God, that in my frayle youth I offended the most grevouslye in pryde, wrathe, and glottonye, in covetousnesse and in lechere. Many men have I hurt in myne anger, and donne manye other horrible sinnes; good Lorde, I aske the mercye.” And therewith wepinglye he stode up agayne, and sayde with a mightye voyce, “Lo! good people, lo! for the breakynge of God’s lawe and his grete comaundementes they never yet cursed me. But for theyr own lawes and tradysyons most cruellye do they handle me and other menne. And therefore both they and theyr lawes, by the promes of God shall utterlye be destroyed.”¹

Third Day.—On the following Monday, however, Oldcastle consented to enter more into detail, and even committed himself to some

¹ Bale’s Life of Oldcastle, p. 26.

metaphysical subtleties about the presence of Christ in the sacrament of the Lord's Supper. On this point he appears, however, to have been nearer the orthodox belief than many of his fellow-reformers, and he was able to taunt one of his judges with having formerly maintained in Cooling Castle that the bread could in no sense be considered Christ's body.¹

When required to accept the doctrine respecting this sacrament proposed to him by the archbishop, he answered that that doctrine had not been declared orthodox until the poison of endowment had been infused into the Church. All the corruption of the Church he ascribed to this 'venom' of worldly possessions, and he added that his own life had been first purified by Lollard preaching. When rebuked for this statement, Oldcastle repeated it with greater vehemence. 'Since the venom,' said he, 'was shed into the Church ye never followed Christ.' The archbishop pressed him again to say what the venom was? 'Your possessions and lordships,' answered Oldcastle; 'for then cried an angel in the air, as your own chronicles mentioneth, "Woe, woe, woe,

¹ Bale's Life of Oldcastle, p. 27.

this day is venom shed into the Church of God." Before that time all the Bishops of Rome were martyrs in a manner, and since that time we read of very few ; but indeed since that same time one hath put down another, and one hath poisoned another, and one hath slain another, and done much more mischief as all the chronicles telleth.'¹

From denunciation he passed naturally to sarcasms. Thus in his protest against the worship of relics, he exclaimed, 'It is a wonderful thing that saints now being dead should become so covetous and needy, and thereupon so bitterly beg, which all their lifetime hated all covetousness and begging ;' and he advised as the best method of dealing with such things 'to bury them fair underground, as ye do other aged people which are God's images.' The same feeling that breaks out here, of the living being equally venerable with the dead, shows itself still more strongly in the discussion of the next point—the worship of the cross.

For a reason which we cannot discover, this point was pressed with special earnestness by the bishops, and Oldcastle met it with characteristic

¹ Bale's Life of Oldcastle, p. 32.

vigour. After a little word-fencing of a somewhat provoking kind, he suddenly spread his arms abroad and said : 'This is a very cross; yea, and so much better than your cross of wood, that it was created of God ; yet will I not seek to have it worshipped.'¹

His judges, however, pressed him further as to the kind of reverence he would show, to a cross, upon which he exclaimed, 'If he were mine, I would lock him up honestly, and see unto him that he should take no more scathe abroad, nor be robbed of his goods, as he is nowadays.'

Then, breaking into the rougher sarcasms which one so often finds among the early as well as the later Puritans, he replied, in answer to questions as to the power of the pope and clergy, that our lord the pope is the head of Antichrist ; the arch-bishops and bishops, and other rulers of the Church, his members ; and the friars his tail. Further, he added, that neither the pope, archbishops, or bishops, were to be obeyed except so far as they were imitators of Christ and Peter in life, morals, and conversation.

¹ The same idea is carried out in Holman Hunt's 'Shadow of Death.'

At last, raising his voice, and stretching out his hands, Oldcastle turned to those who were standing by, and exclaimed, ‘Those who are judging me, and who desire to condemn me, are misleading both you and yourselves, and will drag you to hell; therefore beware of them.’

His Excommunication.—The archbishop, in spite of these fierce denunciations, tried hard, even with tears, to convert Oldcastle. But finding him obdurate, passed on him the final sentence of excommunication, ‘leaving him from this time as a heretic to the secular authority.’

His Imprisonment.—But the influence of the king was probably still felt on behalf of his former favourite ; and Oldcastle, though imprisoned in the Tower, was allowed forty days of grace before his execution, in the hope that he might, as they said, recover his senses (*resipiscere*) in the meanwhile.

The Forged Recantation.—Finding, however, that Oldcastle was not to be overawed, his enemies next had recourse to craft, and circulated a report that he had recanted ; which his friends answered by a protest denying this report.¹ Nor were these

¹ Bale's Life of Oldcastle, pp. 41—45.

the only exertions made by the friends of Oldcastle. It is worth noting who these friends were.

Oldcastle's Friends.—If Oldcastle had been considered to lose caste by his study of the Bible, how much more must he have been degraded in the eyes of the supporters of knightly dignity by the company which he kept! Though there were doubtless some knights among his personal friends, who were ready to rise on his behalf, yet it is clear that the leaders of this movement were chiefly to be found among a very different class. Ironmongers, carpenters, weavers, cordwainers, and plumbers, were among the principal actors in it.¹ It was among these that Wyclif's doctrines had chiefly circulated, and they now flocked from almost every county of England to the defence of Oldcastle.

The Meeting at St. Giles's Fields: Christmas, 1413.—The London apprentices, so prominent on the Puritan side in the seventeenth century, were also ready to support the Lollard cause.² Nor can it be doubted that the hope of private advantage was joined with nobler feelings in some of Oldcastle's supporters. William Murlee, of Dunstable,

¹ Rymer, *Fœdera*, vol. ix. p. 193.

² Walsingham, vol. ii. p. 298.

is said to have expected knighthood from Oldcastle for his zeal on his behalf ; but by whatever motives they were urged, the Lollards, headed by Sir Roger Acton, a friend of Oldcastle's, all flocked together to St. Giles's Fields, near London.

Oldcastle's Escape from the Tower.—Oldcastle had by this time escaped from the Tower, and rumours were spread that this great band of supporters was intending to make him king. Not only the death of the king, it was said, was intended ; but the destruction of all the nobility, bishops, monks, and friars.

Whether any of the wilder spirits among the Lollards may have aimed at these violent changes cannot, of course, be known with certainty ; but the idea of Oldcastle's claim to the throne is probably a mere calumny, sufficiently contradicted by the subsequent charges against him.

Results of the Meeting at St. Giles's Fields.—The object of the gathering seems to have been merely to rescue and protect the reforming leader, and as soon as the king appeared in the field the insurgents dispersed.¹ Several of their leaders

¹ I have followed in this account mainly the story given by Walsingham. The accounts given by the Monk of Elmham (see

were seized and executed, and two edicts were issued, one which forbade the reading of the Scriptures in English under pain of forfeiture of life and lands; while the other declared that every heretic was guilty of treason.¹

The Council of Constance: 1414.—Oldcastle's fame as a popular leader seems to have spread widely through the country; and though the king offered every kind of reward, no one could be found to betray the reformer's hiding-place. But the time was dangerous for Lollardry. Whilst the king was sending out messengers to arrest Oldcastle, the Council of Constance was finding time, amidst its trials and depositions of popes, to examine the book of Huss about the Unity of the Church.

The position of the University of Prague, and the independence of Bohemia, might be questions of little interest to Henry V. or his ministers, but they could not ignore the fact that Huss had been accused of upholding the doctrines of Wyclif, and that his attacks on the power of the popes and pp. 898, 899 of Cole's Memorials of Henry V., also Hearne's ed. of Thos. de Elmham, pp. 30, 31) are merely proofs of the panic at the Court produced by the rising.

¹ See esp. Bale, p. 47, and Titus Livius, ed. Hearne, p. 7.

clergy were in many respects like those of the English reformer. Oldcastle, too, was believed to have had intercourse with John Huss, and to have helped him in circulating the works of Wyclif in Bohemia and other countries.¹

Archbishop Chicheley : 1414.—Besides this, Henry had special reasons at this time for desiring the peace of his country. Archbishop Chicheley had just succeeded to Archbishop Arundel, and partly urged by his influence, partly by his own ambition, the king was preparing to invade France.

Conspiracy of Scrope against Henry V.—Henry's dread of conspiracy was further increased by the plot against his life made by Sir Henry Scrope, the Earl of Cambridge, and Sir Thomas Grey. This plot was eagerly seized upon by the monks as the proof of another Lollard conspiracy; and utterances of some of the leaders of the party were made use of to show that Oldcastle and his followers were still meditating treason.

Supposed Lollard Plot.—A threatening letter was discovered from Oldcastle to Lord Bergeyne; spies were sent out; and arms, money, and standards were discovered in a certain house. The

¹ Bale, pp. 7, 8.

standards were said to have borne upon them a cross, a cup, and a representation of the Host.¹

The story sounds a little apocryphal, and reminds one somewhat of the wonderful discoveries during the Popish Plot of the seventeenth century, or of the equally convenient discoveries by the French police during the rule of Napoleon III. But whether the story was true or false it produced its effect in the quickening of the zeal of the clergy for the detection of heresy.

John Claydon.—John² Claydon, a London tanner, was seized by the Mayor of London, and brought up for examination before the Bishops of London, Coventry, and Lichfield. It was proved that he had been already imprisoned for heresy in the reign of Richard II., but that he had subsequently recanted in the presence of Archbishop Arundel. He also admitted the crime of having in his house books written in English. These books the mayor declared were the most wicked and perverse books he had ever read or seen; one of them was produced in court, and Claydon admitted that he had provided the money for

¹ Walsingham, pp. 306, 307.

² Walsingham calls him William; but I follow Wilkins.

having it written out and bound. He admitted too, that, though he could not read himself, he had had this book read to him. His servants also, though all apparently illiterate, testified to having heard a book called 'The Lantern of Light,' read aloud to Claydon. One of them knew that there was in it a translation of the Ten Commandments into English; while another testified to the presence of more distinctly Lollard doctrines in the book. Claydon's books were burned, and he was handed over to the secular arm.¹

The execution of Claydon gave a new impetus to the attack on English literature, and in the following year Archbishop Chicheley sent out further orders to seize suspected books written in the English language.²

The Lollard cause, too, must have suffered at this time by the increased popularity of the king, who had just returned from France in the full glory of the victory of Agincourt; and it was easy for the clergy to discredit their opponents by charging them with treason as well as heresy.

Occlive and Oldcastle.—But whatever hatred the Lollards might excite at the court of Henry V.,

¹ Wilkins, *Concilia*, vol. iii. pp. 371—375.

² Ibid. p. 378.

there were some, even among the king's most devoted admirers, who still retained an affection for Oldcastle personally, and hoped to recall him from the evil ways into which he had fallen. The most curious and interesting evidence of this feeling is to be found in a poem addressed to Oldcastle by Occleve, the pupil of Chaucer. In this the poet describes the reformer as a 'manly knight,' and one who

‘shoon ful clear in famous worthiness,
Standing in the favour of every wight.’

And although he now considers him as a

‘Foo to the Trinite,
And to the blessed virgyne Marie
And to the ennumerable holie Compagnie
Of hevene,’

yet still he hopes to bring him to a better mind. In that hope he addresses to him the following curious exhortation :—

‘Bewar Oldcastel, and for Christes sake
Clymbe no more in holie writ so hie ;
Rede the storie of Lancelot de Lake
Or Vegere of the art of Chivalrie,
The siege of Troy or Thebes ; the applie
To thyngue that may to the ordre of knyght longe ;
To thy correcccion now thou haast and hit,
For thou haast ben out of joint al to longe.’

If the list thyng rede of auctorite,
 To these stories fit it the to goon ;
 To Judicum Regum and Josue
 To Judith and to Paralipomenon,
 And Machabe, and as siker a stoon.
 If the list in them bayte thyn ye
 More autentik things shalt thou find noon
 Ne more pertinent to chivalrie.'¹

It is worth noticing that this poem was written after the rising in St. Giles's Fields,² by a warm admirer of the king, and one who hated the Lollards so much that, in the latter part of this poem, he tells them—

'The feend is your cheef, and our heed is God.'

Traces discovered of Oldcastle.—But about Christmas time, 1416, another rumour was spread of an attempt on the king's life by an accomplice of Oldcastle's. At the same time, many tracts of the Lollards were found in St. Alban's, Northampton, and Reading. At St. Alban's, that scene of perpetual struggles between the monks and their opponents, signs were at last discovered of Oldcastle's hiding-place. In the house of a servant of the abbot's, books were found written in English, full, it was said, of blasphemies against the Virgin;

¹ Bodl. MS. James, 34.

² See verse 49.

other books were also found with them, which had formerly been decorated with pictures of the saints, the heads of these figures being now scratched out by the Lollards. All prayers to the saints, too, according to this account, had been erased from these books ; though, too, Oldcastle himself had escaped, men who were supposed to be his special supporters were lurking in this house.

His Arrest. His Trial, December, 1417.—The Abbot of St. Alban's thereupon sent a specimen of these mutilated books to the king, who had already returned to France. Henry forthwith despatched the book to the Archbishop of Canterbury with orders to exhibit it at St. Paul's Cross during sermon-time, in the hopes of exciting the sympathy of the citizens on behalf of the maimed and insulted saints. With these proofs in their hands of the hiding-places of the Lollards, the spies of the clergy were not long in tracking out Oldcastle. He was found to have taken refuge in the lands of Lord Powis in Wales, and was there seized and, after a short struggle, captured, and brought to London on a litter wounded, with a clergyman who was his accomplice. He was immediately brought before the Duke of Bedford, who was then

protector of the kingdom, and who had delayed the dissolution of parliament on purpose to allow of the trial of Oldcastle.

Great prominence of course was given to the meeting in St. Giles's Fields, which was charged on Oldcastle as an actual insurrection stirred up by him; and all the objects which had been attributed to those who met on that occasion, of killing the king, destroying the religious houses, etc., and of intending to make Oldcastle king, were now attributed to the supposed leader of the movement. But at the same time there were mixed up with these, charges of having preached against the Catholic faith, and repetitions of the former condemnation by the Archbishop of Canterbury.¹

But of Oldcastle's answer we have no clear account. The exhortation to his judges to be merciful, and to remember that vengeance was God's alone; the somewhat arrogant quotation, 'It is a small thing to me to be judged of your or of any man's judgment'; and above all, the assertion that King Richard was still alive, and that he was responsible to him alone,² seem strangely out of

¹ Rot. Parl. vol. iv. p. 107.

² Walsingham, vol. ii. pp. 327, 328.

keeping with the character of the reformer as it comes out to us in the other part of his life.

It may of course be that Oldcastle's brain had suffered from the excitement of the last three years, and that he had become bewildered as to his own purposes and feelings ; but, on the other hand, the extreme readiness of the monkish chroniclers, and of Walsingham in especial, to put rhetorical speeches, and particularly quotations from Scripture, into the mouths of the characters whom they present to us, throws considerable doubt on this narrative ; a doubt which is further increased when we remember their extreme anxiety to prove the Lollards in general, and Oldcastle above all, guilty of treason as well as heresy.

His Execution.—Leaving, then, the question of Oldcastle's answer as a matter which can never be wholly solved, we turn to his punishment, of the nature and meaning of which there can be no doubt. Condemned both as traitor and heretic, he was drawn to the gallows, and whilst hanging there was slowly burned to death.

Results of his Career.—The importance of Oldcastle's career is of a very different kind from that of Langton, Tyler, or Ball ; he cannot be said to

have inaugurated a constitutional movement, or to have awakened a class to new life; nor was his effect on the Reformation as marked as that of Ball. That great movement does not receive any new character in the latter part of the reign of Henry V.; nor, so far as we can gather, do its principles become more acceptable at that time to any large body of men who had previously opposed it.

Yet Oldcastle's life was far from unimportant. He is one of those men whose effect is produced rather by their character than by their work. He stands out in the fifteenth century as Sir Philip Sydney does in the latter part of the sixteenth century, rather as an embodiment of the noblest life and effort of the time than as the chief actor in any of the definite work of the time. And thus he made the cause of the Reformation in the fifteenth century dear to the Englishmen of the sixteenth and seventeenth, just as Sydney has made the Elizabethan period so precious to later generations.

In a time when there was much talk of chivalry by those who were oppressing the weak, Oldcastle comes before us as the Christian knight protecting

an oppressed sect against the powers that be; sympathizing, as few knights dared to do, with tailors and carpenters, defying the prejudices of his order against learning, and deliberately throwing up the favour of a king to risk persecution and death. Thus it is that, far less important as the work he achieved was than that accomplished by Ball, Oldcastle's character is to the writers of the sixteenth and seventeenth centuries the most continual subject of debate, the battle ground of opposing principles. While those on the one side try, as far as possible, to exaggerate the rebellious aspect of his career, others feel that the cause of the Reformation is concerned in suppressing everything which tends to lessen the effect of the picture of Oldcastle as a suffering Christian martyr.

Oldcastle and Falstaff.—But a stronger testimony to his historical importance is given at the beginning of the seventeenth century, when his character seemed to have been hopelessly perverted by its identification with Shakespeare's Falstaff.¹

The materials from which Shakespeare's con-

¹ That Shakespeare originally intended Falstaff for Oldcastle has been sufficiently proved, so far as external evidence is concerned, by

ception of Oldcastle was formed are easy to guess. The tradition which prevailed even in Henry V.'s own time of the king's former wildness, and of his sudden conversion on his accession to the throne, would naturally connect itself with the dismissal from his household of a man who had been his friend in that early life; add to this some recollection of Oldcastle's own utterances about his former life; connect all these vague traditions with the stage conceptions of a Puritan, as a Scripture-quoting hypocrite, and you have the idea which, not indeed an ordinary playwright, but a Shakespeare could easily form into Sir John Falstaff. But there was another element besides the one with which Shakespeare specially sympathized, which helped to form the greatness of the Elizabethan age. The Puritans were indignant at this travestie of the character of their spiritual ancestor, and Shakespeare was forced to withdraw the name of Oldcastle from his play, and insert in the epilogue to *Henry IV.* the words, 'For Oldcastle died a martyr, and this is not the man.'

Halliwell in his *Essay on the Character of Falstaff*, while the internal evidence from Falstaff's own utterances has been worked out with singular ability by Mr. James Gairdner in an article in the *Fortnightly Review*.

The Final Vindication of Oldcastle.—But even this was not sufficient ; and about the beginning of the seventeenth century came out a drama called ‘The True and Honourable Historie of Sir John Oldcastle, the good Lord Cobham,’ in which the historical Oldcastle is once more presented to the public ; and in the prologue to which the writer, or writers, made the following allusion to Oldcastle’s great calumniator :—

‘It is no pampered glutton we present
Nor aged counsellor to youthful sinne ;
But one whose virtue shone above the rest
A valiant martyr and a virtuous peere.’

Thus was the memory of the most interesting of the early Puritans revived for the century which saw the noblest efforts of later Puritanism.

THE END.



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